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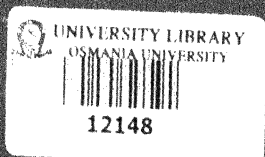
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SIR  
PHEROZESHAH  
MEHTA

A POLITICAL BIOGRAPHY

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INSCRIBED  
TO THE MEMORY OF  
MY DEAR BROTHER RUSTAM

WHO DIED AT BOMBAY ON  
THE 17th JULY, 1917, DEEPLY  
REGRETTEED BY ALL WHO KNEW  
HIM AND RECOGNIZED HIS  
TALENTS AND NOBILITY OF  
CHARACTER.



## FOREWORD

It is with great reluctance that I have accepted the author's kind invitation to write this Foreword, for I am well aware of my shortcomings for the task. Unlike many others happily still alive, I did not get to know Sir Pherozezshah till the very evening of his life. Thus I had little direct knowledge of that great period when he helped to mould Indian political aspirations. Nor had I the advantage of co-operation with him in his great work of making Bombay a self-governing city. Under these circumstances a great deal that could have been rightly said must be passed in silence. However I can claim one advantage over his contemporaries, and that is that I see the giant in truer perspective. While I was still a boy, Sir Pherozezshah, with his well-known generosity, would often spend half an hour or so explaining to my youthful curiosity the governing principle underlying his political convictions and activities. Later, from the time when he last visited London onwards, I saw him more often, and came more and more to understand the grandeur and simplicity of his character and to appreciate the qualities that had won for him, I must say, the discipleship of men so different and yet so powerful and strong as Gokhale and Ranade, Budrudin and Wacha. Nay,

it was characteristic of Sir Pherozeshah that his influence guided men older than himself who had been in the political field much longer, and it also spurred the young patriots to further aspirations. Such was the case with Dadabhai Naoroji himself, and with many others whose names are dear to India.

It is one of the tragedies of Indian history since British Rule that Sir Pherozeshah was never understood or appreciated by officialdom and Anglo-India. Had his doctrines been followed earlier, we might not have such a dark and cloudy atmosphere as overhangs the land to-day. Sir Pherozeshah's real place was in the category of Rhodes, but alas, unlike the great South African leader, his teaching was appreciated by those who had the power to apply it successfully thirty years too late. Had the principles and the hopes with which in the Eighties he took his stand on Indian aspirations been even gradually realized, had they even received fair and unprejudiced consideration, the later and final estrangement of Tilak and Gandhi would probably never have taken place. Not only the Montagu-Chelmsford Reforms, but even the more elementary rights, came far too late, for those vital years of the Eighties and Nineties had left such an atmosphere of distrust that it has weighed down the final work of reconciliation foreshadowed in the famous declaration of August, 1917. A moral that

no Englishman in India should forget can be drawn from the fact that for forty-five out of his seventy years of life Sir Pherozeshah was for the average Anglo-Indian the personification of a dangerous demagogue. His great qualities, his loyal imperialism, his patriotism alike as an Indian and as an Imperialist, his readiness to see that the two duties and the two affections were complementary and not contradictory—all these were realized long after the realization had any practical value. Had any of the administrative and financial reforms suggested by the Mehta of the Eighties and Nineties received fair and just consideration, would the present day patriotism and incredulity separate the thinking youth of India from England ?

But for young India too there is a moral. Sir Pherozeshah never despaired, and till the very end believed in the conscience of England. All the rebuffs and disappointments of four decades and more did not sour his large and generous nature. One other and a still more necessary moral can be drawn by the India of the future from this, perhaps, her greatest nineteenth century son. It was the breadth and depth of his true charity for his countrymen; for he never judged harshly or unkindly even the meanest of his own worldly antagonists. Personal ambition, the desire for wealth and fame never interfered with his great work in life. I have known in my time many leading statesmen, men

of letters, men to whom fame has come in many lands. Somelike Gokhale had avowedly renounced the world. Not one can I recall whose real indifference to personal advancement or success was so great as Sir Pherozezshah's. Not only in old age would he open his arms to welcome a Gokhale as his successor, but before he had himself reached the meridian of life, he was never jealous but ever ready to advance a possible rival such as Telang or Budrudin, Ranade or Chandavarkar. All he insisted on, all he demanded, was that the Motherland should receive a recruit sincere and devoted to her cause. In a land of divisions of caste and religion, of race and occupation, of provincial interests and religious differences, Sir Pherozezshah in his very life perhaps unconsciously showed the greatest synthesis of patriotism and particularism. A Parsi of Parsis, who could never be mistaken for any other race, who was proud of every quality which has gone to distinguish that ancient people, he was yet an Indian of Indians ever looking forward to a future worthy of India's population and resources and not handicapped by her past misfortunes. A Bombayite passionately devoted to his city and to his Presidency, yet he was the standard bearer of the cause of United India. His simple nature was so free from hypocrisy and conceit that while he could admire the renunciation of Gokhale and the sacrifices of B. G. Tilak, he

never realized that while he had not taken any such vows or made any such declaration, he had made in his own life perhaps the greatest sacrifice of all. I have heard of him in his last years as being regarded as a dead weight to the cause of Indian progress. Nothing could be more false. His was not a nature to be satisfied with half measures. The full goal of Dominion self-government within the Empire was as clear to him as to any other patriotic son of India, but again the strength of his practical nature gave him such patience that without forgetting the beacon in the distance, he could see the thorns that made the path difficult and dangerous.

These were the great outstanding qualities that impressed themselves more and more on me from my last meeting with him in London in 1910 until my final interview in Bombay in 1915. With age, his political wisdom and sagacity seemed to gain direction and strength, and had he been spared but a few years longer, he would have become the leader of the constitutional opposition, a party of criticism and power that would, with the awakened India of to-day, have made her advance to full self-government, if not easier, surer and more certain.

AGA KHAN.

## PREFACE

THIS work was undertaken in 1916. Many circumstances have combined to delay its execution, chief among them being the want of suitable materials, and the difficulty of access to such contemporary records as are in existence. The papers placed at my disposal by Lady Mehta consisted almost entirely of letters written to Sir Pherozechah by various people. There were some thousands of them, all preserved by him without any regard to their importance, tradesmen's circulars, invitation notes and confidential letters from political associates finding their way into the same capacious drawer. As against this vast mass of materials, most of it entirely useless, I could not lay hands on even half a dozen letters written by Sir Pherozechah himself, and was thus deprived of what would have been the best of materials for this biography. Added to these difficulties was the fact that I could not at any time within these five years get away from the daily round of duties which tie most of us down. A greater part of the work had to be written in odd hours of leisure in an atmosphere scarcely conducive to concentration of thought or quiet reflection.



The trouble I have encountered in gathering materials has been the least of my difficulties. Nor has the writing of seven hundred pages been very much of an effort. To borrow the language of Lord Morley, "though the subject was inspiring, it was no occasion for high attempts in literary expression." The real difficulty was of another kind. To quote Lord Morley again, "the first quality required was architectonic; it lay in distribution of periods and phases, the right scale for a thousand episodes, right proportions among wide and varied fields of incessant public policy and personal activity." To produce an ordered impression within the compass of a few hundred pages of the career and personality of a man who was supreme in so many fields, in the Congress, the Councils, the Corporation and the Senate, for over a generation, and whose activities on the platform were incessant, has been no easy task. How far I have succeeded, others must judge.

One of the essential conditions of a good biography is that it must be honest. While the predominant note must be one of sympathy, blind and indiscriminating partisanship must be scrupulously avoided. In the record which I have presented, I have attempted to temper admiration with discernment and to criticize such actions of the hero as have appeared to me indefensible or

arising from error of judgment. It would have been strange indeed if I had sought to make out that a long and many-sided life, spent in an atmosphere of continual conflict, had been altogether free from the mistakes and miscalculations to which all human judgment is liable. While I may thus claim to have written in a spirit of detachment, it is possible that my intense admiration for the politics and personality of Sir Pherozeshah may have led me on occasions into taking the view most favourable to him, though I have endeavoured to guard against the danger by placing the two sides of every question before the reader.

Several friends of Pherozeshah have helped me in the compilation of this biography. My principal obligations are to the Aga Khan for his great kindness in contributing a very thoughtful and admirable little Foreword ; to Sir Dinshaw Wacha for the many valuable suggestions I have received from him from time to time, and for the personal interest he has taken in the biography of one to whom he bore a deep and life-long attachment ; to Mr. C. M. Cursetjee for furnishing me with many interesting and useful notes on Pherozeshah's career and personality, which his close and intimate friendship of more than forty years particularly qualified him to supply, and for devoting considerable pains over the revision

of the proofs, and to Sir H. A. Wadya for giving me some little-known details about the early part of Pherozeshah's career. To Sir Stanley Reed, I owe a special debt of gratitude for all the invaluable assistance he has rendered me, as much, I believe out of admiration for Pherozeshah's personality as kindness to myself. He has allowed me to encroach very freely on his time and energies, and the book owes a great deal to the many valuable hints and criticisms I have received from him from time to time. Lastly, I must not forget one who played a less important but none the less useful rôle. Finding it impossible to undertake the task of gathering materials single-handed, I engaged Mr. J. C. Mehd to look up such newspaper files as we have in our miserably-equipped libraries, and to cull out everything relating to the subject of the biography. He has done the work with an ability and conscientiousness which have considerably lightened my task. In addition, he has prepared the Index, typed all my manuscripts, and has generally rendered himself very useful. It was trying work at best, and the manner in which he has done it deserves every praise.

The book has been a labour of love to me. My object in undertaking to write it was two-fold. I found that our literature, English and Indian, did not contain a single biography adequately recording the life and life-work of an Indian,

though during the last hundred years, this country has produced many men of outstanding eminence ; and I was anxious to supply the deficiency, if I could. My second object was to present a full and complete record of a career altogether unique in our political history, and to give, if such a thing were possible, a connected account of the principal events and movements of the last fifty years. How far I have fallen short of the ideal which I have set before myself, I am perfectly conscious ; I can only hope that the critic may prove right who says it is very difficult to make a complete failure with a good subject. I trust I have not quite surmounted that difficulty ! Encouraged by that thought, I lay down the pen with a feeling of relief ; yet not without a sense of regret do I part from a work which has almost formed part and parcel of my being for the better part of five long years.

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## CHAPTER I.

### EARLY YEARS.

1845-1864.

OF the early years of the lives of eminent Indians very little is known as a rule. The records of their youthful days are not preserved with that fidelity and loving care with which the recollections of the early life of great men in other countries are treasured. Nor, as circumstances exist at present, would a narration of them evoke much interest or possess any special value. It will be necessary, therefore, to skip lightly over the opening pages of the life-story of the remarkable Indian, who is the subject of this biography.

Pherozechah Mehta was born in Bombay on the 4th August, 1845. His father was a merchant who spent most of his life in Calcutta, and was at one time a partner in the well-known firm of P. & C. N. Cama & Co., which with many other great houses came to grief in the Share Mania of 1865. He was a man of means at the period of which we are speaking, and was able to bring up his children in comfort. Though not endowed with

any education worth the name, he possessed some literary tastes, and was the author of a textbook on Geography, and a Gujarati translation of some work on Chemistry. His brother Sorabji was a man of considerable ability, who held a responsible position in a banking concern, and was keenly interested in the social and educational questions of the day. The family lived in one of the localities in the Fort which were in those days inhabited by the wealthiest in the community, and most of which are now known only for their squalor and general indications of poverty. It is not necessary to dive deeper than this into the family history in order to trace influences of heredity or environment, which, as a present-day critic says, are often a snare to the biographer.

When he was about seven years old, Pheroze-shah was taken seriously ill from a malignant fever. For days together, he lay unconscious and his life was despaired of. Dr. Bhau Daji, the celebrated physician, attributed the particular nature of the child's malady to his quick and restless brain, and remarked that if he recovered, he would turn out to be a great man, a prophecy which had also been made by his uncle Sorabji on seeing the child's forehead when he was in the cradle. After days of agonizing suspense, family tradition runs, the little patient suddenly



woke up one day, bitterly crying. When asked for the reason, he sobbed that he had seen his grandmother in a garden full of flowers, and that she had given him a push and turned him out. The old folks in the family regarded it as a happy omen, and from that moment the child began to recover.

Pherozechah's early education began in what was known as Ayrton's school. This was an institution established by Mr. Dhunjibhoy Cama, one of the partners of the elder Mehta, and honoured with the name of Ayrton, who was the family solicitor of the Cama's, and who took a great interest in the education of boys. In those days, though there was not so much general intercourse between Englishmen and Indians as exists at present, there was much more of genuine friendship between individuals, and manifestations of friendly regard like the above were not unusual. In many cases the Parsis of those days adopted the surnames of their patrons or friends, and were known by the latter.

From Ayrton's school, Pherozechah went in 1855 to that well-known institution which was known as the "Branch School," the cradle of many distinguished men who have made history in Bombay. After six happy years spent in the irresponsible and happy-go-lucky way, characteristic of all healthy-minded schoolboys, he passed

the Matriculation, which had been instituted soon after the great educational charter of 1854 was brought into operation. Shortly after, he joined the Elphinstone College, then located in a place at Gowalia Tank Road, known as "Tankerville." It was an old and unpretentious building, immediately adjoining a large tank now filled in, but the grounds were spacious and full of trees. The surroundings were pleasant, and compared very favourably with present-day conditions.

Of Pherozeshah's life at College, there is not much to be said. He was a keen and diligent student, particularly fond of history and English literature, and showed himself to be endowed with a mind of unusual capacity. His personality was striking. Though of little more than medium height, his strong and handsome features and broad shoulders lent considerable dignity and impressiveness to his general appearance. His conversation was brilliant, and drew towards him a large circle of friends. Among them were several, who in after years stood with him on the same platform on many an occasion, and fought under his banner. Young Pherozeshah also became a favourite with the great educationist who was at the head of the institution, Sir Alexander Grant. One of the essays written by him so impressed the latter that it was ordered to be preserved in the archives of the College from

which some devoted disciple may some day unearth it.

The culture imparted in those days was in many respects sounder, and took deeper root than modern conditions allow. The pupils were few and they came closely and directly under the influence of singularly able and conscientious teachers. Pheroze-shah made the most of his opportunities. In the annual reports which were sent to his father over the signature of Sir Alexander, his conduct and progress were described as excellent. He was quick at grasping the salient points of the subject before him, but avoided the short cuts to knowledge which such facility often encourages. He belonged to that somewhat rare type of men in whom great natural advantages are found allied with a capacity for taking pains.

While the cultivation of the mind was promoted in every way, the development of the body was not neglected. Though little inclined to any vigorous physical exertion, Pheroze-shah was fond of cricket, and played a great deal of what was then a little known game. He is said to have played in characteristic fashion, never knowing when he was defeated. Sir Alexander was himself fond of the game, and encouraged its pursuit among his pupils. On one occasion, he even took a team with him to the Deccan, Pheroze-shah forming one of the Eleven. In after years,

at College and other convivial gatherings, when old days were recalled with affection, Pherozeshah took a whimsical delight in claiming that he was one of the pioneers of the game, and in disputing with the late Mr. Jamsetjee Patel, his title as the Father of Indian Cricket, contending that long before the latter emerged on the scene, he and his contemporaries, proud of their bats and stumps which had been made by a native carpenter, used to indulge in the game in the *maidan* outside the ramparts of the old Fort, which had guarded the little town for generations, and which later had to be demolished with the rise of modern Bombay.

Those years at College were well spent. They taught the young man to stand upright; they certainly fostered no "slave mentality." They were devoted to the cultivation of a mind which was very receptive, and to the pursuit of a healthy out-door life. The opportunities for the acquisition of culture which existed in those days, the attention that it was possible to bestow on each student, and the sympathetic understanding which existed between the professors and their pupils, all contributed to bring out the best that was in a man, and in such an atmosphere Pherozeshah's intellect ripened early. He had the rare advantage, besides, of coming under the influence of Sir Alexander Grant's inspiring personality, and the value of this early association he repeatedly acknowledged in after years.

In 1864, Pherozeshah passed his B.A. examination, and was awarded a Dakshina Fellowship by Sir Alexander, who was anxious to retain his connection with the College. About this time, he received a compliment which was as rare as it was gratifying in those days. Sir Bartle Frere, having heard about him, was desirous of meeting him, and asked him to an interview at Government House. Whether or not, the future greatness of the man was already stamped on his youthful features, there is no doubt he must have deeply impressed the Governor, as he did every one else who came in contact with him. What transpired at the interview is not known.

A few months later, an event of far-reaching importance took place in the life of Pherozeshah. The late Mr. Rustumji Jamsetjee Jejeebhoy, the second son of the first Parsi Baronet, and a man of remarkably enlightened views and catholic philanthropy, had offered in December, 1863, a sum of Rs. 1,50,000 in trust "to enable five natives of India to proceed to England for the purpose of qualifying themselves for practice at the Bar in India." The benefits of the proposal were to be open to a Parsi, a Hindu and a Portuguese in Bombay, and a Mohamedan and a Hindu or East Indian from Calcutta or Madras, "all of good family connections, occupying a respectable position in society." The donor had further laid

down that in making the selection, "the good moral character of the respective parties must be an indispensable qualification, and not merely abilities alone." For each selected candidate the handsome provision of Rs. 30,000 was made, which included a sum of Rs. 10,000 to be presented to him on his qualifying himself as a barrister, and producing a certificate of his good moral conduct during his residence in England. Such were the terms of the generous offer made by Mr. Rustumji Jamsetjee, a man whose charity was as wide and catholic as that of his illustrious father—as an instance of which might be mentioned his magnificent donation for the relief of Lancashire operatives at the time of the American Civil War—and who, it is related, had in the hey-day of his prosperity set apart the princely sum of Rs. 51 lacs for the benefit of the poor of his community. The downfall of this singularly enlightened and large-hearted citizen was one of the greatest tragedies of the Share Mania of 1865.

When applications were invited for the scholarship, Sir Alexander induced Pherozechah to put forward his candidature, though his father had some misgivings about the propriety of his son accepting the benefit of a charitable trust, and wanted him to adopt a commercial career. Sir Alexander pointed out that it was in fact an honour to be selected as a candidate, and the elder Mehta gave

in. It is interesting to note, as throwing a side-light on the early conditions of Indian life, that not one Hindu came forward in Bombay to take the benefit of this magnificent provision. As Pherozechah said some three years later in the course of a lecture before the East India Association, "the uneducated were withheld by the prejudices of caste and country, and the educated did not care to break abruptly some of the most sacred social and family ties, especially when the means of enlightenment were, to a certain extent, near at their hands." In forwarding his gifted pupil's application, the eminent educationist wrote in terms of warm appreciation of his talents and character :—

"I have great pleasure in testifying that Mr. Pherozechah Merwanji is in every way worthy of the benefaction which he seeks. He is on the whole the best student of all I have had to do with in the Elphinstone College. He has good abilities, industry, good sense, modesty, an excellent moral character, and remarkably gentlemanly and pleasing manners. From much association with him on the cricket field as well as in the lecture room, I can testify to his manliness and courage, which I think the committee will consider valuable qualifications. I beg you will lay before them this letter,

and say to them with all respect that should their choice fall upon Mr. Pherozeshah Mehta, I should cordially congratulate the honourable founder of this benefaction on the worthy character of the young man selected to represent himself and the Parsee community in England."

The choice of the committee happily fell upon Pherozeshah—in Calcutta the late Mr. W. C. Bonnerji was selected—and as Sir Alexander was going to England in December, 1864, and was desirous of taking his pupil with him, the latter was allowed as a special grace to appear for his M.A. within six months of his passing the B.A. examination. The task was not an easy one, but those who knew him felt sure of his success. Their confidence was speedily justified, and Pherozeshah became one of the first M.A.'s of the Bombay University. More exciting than the examination, however, was the prospect of his impending departure. He was going out to a new and wonderful world about which he had read and dreamt a great deal. The gifts with which he had been so amply endowed by Nature were to find the fullest scope for development, and the future seemed bright and full of hope. After weeks of preparation befitting the importance of the occasion—a visit to Europe was looked on as a bit of an adventure in those days—



Pherozechah sailed for England in December, 1864. Accompanying him was another Elphinstonian, Mr., now Sir, Hormasji Wadia, whose success as a lawyer in the mofussil later brought him in frequent contact with his old friend, with whom he fought many a legal battle in Kathiawar and other places. On the eve of their departure, their fellow-students at the College presented them with a farewell address. It was an unpretentious document written on a plain sheet of paper, and couched in simple language, but it bore the names of many who in after years attained to eminence in various walks of life, such as Mahadeo Govind Ranade, Bal Mangesh Wagle, Rahimtulla Mohamed Sayani and Goculdas Kahandas Parekh. The address referred to the brilliant career of the two young men, and expressed a hope that as the Benefaction had attracted candidates from Madras and Calcutta, they would carry themselves not only as Elphinstonians, but as representing the whole of the Presidency. The presentation of the address with its simple but stimulating message was a happy idea, and the document enshrining it was preserved by Pherozechah with loving care. Amidst the triumphs of after years, this little token of good-will extended to him by the associates of his early life remained a pleasant and ineffaceable memory.

## CHAPTER II.

### LIFE IN ENGLAND.

1865-1868.

To Pherozeshah the voyage was one long misery. He was a bad sailor, and suffered all the agonies of sea-sickness. He had a thoroughly miserable time, and when the boat touched at Aden, he heaved a sigh of relief. The genius of Lesseps had not then given the world the Suez Canal, which has brought England nearer to India, and at the same time divided the two more completely than ever. The passengers had to cross over by rail from Suez to Cairo, and then on to Alexandria. Sir Alexander Grant and his young charges spent a couple of days at Marseilles, and later on in the gay capital of France, then at the height of her prosperity, and full of the splendour of the Napoleonic régime. After some crowded hours, during which the youthful visitors saw a new world bursting upon their wondering eyes, they crossed the Channel. It was a terrible ordeal for Pherozeshah. The passage was rough, and he suffered so greatly from the effects of

sea-sickness that the doctor afterwards said another hour of it might have killed him. But the Fates were kind to him and to India, and once he was on land, he quickly recovered. It was some time before Pherozeshah settled down in his new surroundings. For a short while he stayed with Mr. Dadabhai Naoroji, who had gone to England as a partner in a prosperous firm of merchants, and was just embarking on his remarkable political career. Afterwards, boarding arrangements were made with Professor Key, the Head Master of University College School, and a Latin scholar of considerable reputation.

There were not many Indians in London at the time, but they were congenial spirits. Circumstanced as they were, they were thrown much into each other's society. None the less, they moved about largely, and saw a great deal of the world around them. The dress that Pherozeshah and his immediate associates affected, though elegant, was a curious compromise between Western and Eastern ideas. A friend who saw them sailing down Oxford Street one day found them "very sprucely dressed up in the height of fashion, except that they had put on an oriental sort of head-dress—being dainty little black velvet caps, gay with long flowing blue silk tassels attached to a button fixed in the centre at the top, from which radiated some skeins of silk." The

head-gear was intended as a compliment to Dadabhai Naoroji, who exercised a great influence over the minds of the young Indians, and was a guide, philosopher and friend to them. Before his M. P. days, he always went about in London plainly dressed in a long black broad-cloth coat buttoned at the neck, and with his head covered by a black velvet cap with a small blue tassel. Pherozeshah and his companions had at first adopted this costume, but when yielding to the dictates of fashion, they dressed themselves up in the mode of the day, they retained the cap as a compliment to the *guru*. It was a somewhat outlandish combination, but it procured the young knuts a certain amount of attention which was by no means unacceptable.

Whilst in London, Pherozeshah was very friendly with Mr. and Mrs. D. D. Cama, at whose house he was a most welcome guest. Many Parsis in London gravitated to that delightful place in the country on Sundays, where, among other enjoyments, they were treated to a dinner cooked in the Parsi fashion. The typically Indian game of *chaupat* formed the principal amusement at these weekly gatherings. Pheroze-shah was an adept at the game, in which the fun is apt to become faster and more furious, the more heavily one bangs the board with the

pieces. So great were the excitement and noise round the *chaupat* board that Mr. Cama's neighbour one day inquired why it was that he was always engaged on Sundays in hanging pictures! Pherozechah was the outstanding figure at this and other gatherings. He took the lead in everything that was done, and his company looked to him for direction as to one who was born to command. He was the *arbiter elegantiarum*, and his right to lay down the law was conceded without question. He was the most agreeable of companions, and his versatile talents, charm of manner and skill at various games assured him a warm welcome everywhere.

Apart from his legal studies, Pherozechah devoted some time to the study of French, with which he soon picked up a fair acquaintance. He read a great deal of French Literature of the period of the Revolution, and was a warm admirer of Mirabeau and the other great actors in that wonderful drama. He was so fond of the language that on his return to India, when briefs were not too plentiful, he used to give lessons in French to some of his friends. As professional and public engagements began to multiply, he lost familiarity with the language, and during his subsequent visits to Europe never ventured to speak it.

Besides the company that has been mentioned, there were also about this time in London several Indians, who were destined to leave the impress of their personality on the country. They were gifted men, and they made the most of their opportunities. Jamsetjee Tata, after many vicissitudes of fortune, lived to become a great captain of industry, and the pioneer of India's industrial awakening. Mun Mohun Ghosh distinguished himself as a lawyer and politician during the comparatively short span of life that was allotted to him. Budrudin Tyabji enjoyed an immense practice at the Bar, rose to the Bench, and carried with him there the qualities which had given him an honoured place among the leaders of the people. W. C. Bonnerji became a lawyer and a leader of unquestioned eminence, and his massive personality lent distinction to the public life of Bengal. All these gifted young men used to meet at Dadabhai's place, where Pherozeshah came closely in contact with them. This intimate association was of considerable value to him, and laid in the case of Bonnerji, the foundations of a political friendship, which was of the greatest benefit to India in the days when they and other devoted patriots strove to implant in her the seeds of new ideas, and the impulse towards a higher life.

The inner circle of Pherozeshah's friends made

good also. Hormasji Wadya prospered in Kathiawar, did useful public service and achieved a Knighthood. C. M. Cursetjee, after a period of service in the mofussil, became a judge of the Presidency Small Causes Court. Limji Banaji rose by slow degrees to the responsible position of prothonotary of the High Court. Jamsetjee Cama, confirmed *bon vivant*, prospered sufficiently as a solicitor to enable him to indulge his inordinate fondness for the good things of life. None indeed of that promising little group floated about aimlessly on life's waters.

Though Pherozechah was thrown largely in the society of his own countrymen, it must not be imagined that he moved in a narrow circle. The Indian student was a bit of a rarity in those days, and was not regarded as a nuisance or an object of suspicion, as he became at a later period. The doors of English society were not closed to him, and he was received with warmth and kindness in many a home. Pherozechah had thus no difficulty in making friends amongst people of good social standing. Among others, he met the Reverend Long, well-known in connection with the indigo trouble in the Sixties. Through the kindness of the latter, he had opportunities of meeting Lord Shaftesbury, the Father of Factory Legislation, the Duke of Argyll, Secretary of State for India, and other notable men.

It was a memorable epoch in the history of England and the world. Carlyle, Ruskin, Mill, Darwin, Herbert Spencer—to mention only a few of the great teachers of the age—delivered their message, and humanity felt profoundly shaken in its beliefs, ideas and dogmas. “Mazzini and Victor Hugo imparted activity, elevation and the generous breadth of cosmopolitan outlook to the most ardent spirits of the new time in our own island.” In politics, Liberalism made its appearance as a stimulating and powerful factor in national progress. Cobden and Bright and Gladstone breathed a new spirit into the political controversies of the day. Across the Atlantic, “humanity fought one of its most glorious battles,” and the curse of slavery was put an end to. A revolution was sweeping over men’s thoughts and ideas, and in the words of Lord Morley, “only those whose minds are numbed by the suspicion that all times are tolerably alike, and men and women much of a muchness, will deny that it was a generation of intrepid effort forward.”

It was in such an atmosphere, and at a period when ideas and impressions strike their roots in the mind, and stamp themselves indelibly on one’s character, that Pherozeshah imbibed those principles which ever afterwards governed his public career. Contact with all that was healthy in Western life and thought, and the atmosphere



in which he lived instilled into him a breadth of view, courage, independence of thought and action, and a love of ordered progress allied with a certain conservatism which lies at the root of the British character. He developed early those traits which raised him so greatly above his countrymen, and displayed a maturity of thought which deeply impressed all who came in contact with him. He took a keen interest in the problems of the day, particularly as they affected his country, and was one of the most active members of the East India Association, which was founded by Dadabhai in October, 1866, "for the independent and disinterested advocacy and promotion by all legitimate means of the interest and welfare of India generally." The Association owed its existence to the support of many enlightened Indian princes, which Dadabhai was able to secure for it on his return to India for a brief period after the commercial crash which had involved among others the firm of which he was a partner. The organization, until it was captured by retired Anglo-Indian officials, did yeoman service in stimulating political activity among Indians and educating English opinion about the problems of India. Its annual reports contain a treasure-house of information on a multitude of subjects, and may be read with profit even at the present day.

Before this Association, Pherozeshah read a paper on *The Educational System in the Presidency of Bombay*, which evoked warm praise from a small but appreciative audience. It was characterized as an "able, clever and elaborate paper," and the young lecturer was asked to embody his views in a series of resolutions to be brought up again for discussion. As indications of his maturity of thought even at such an early age, a passage may be quoted from his exhaustive survey of the position of education in the Presidency. Dealing with the real ends and objects of all efforts to educate the Indians, he said :—

“ The first paramount aim of education in India is the absorption of the lower into the higher civilization, the reformation of the old system of culture by the new. Such a consummation was, however, not to be achieved without great tact and delicacy. While inoculating its own dogmas, the new civilization would have to break up, expose and analyse the old hereditary tastes, opinions, habits, customs, manners and modes of thought, those short rules of thought and action, unconsciously sucked in as first principles, self-evident and indisputable, from generation to generation. Such a process, if inaugurated,

however, merely as dogma fighting against dogma, would be undoubtedly productive of a mental convulsion of the most unhealthy character, and the result of which would be swayed by the most chance circumstances of life. And even the triumph of the higher civilization would not unfrequently assist in destroying its own object. The passive recipients of the new ideas would soon become liable to be taunted, and justly taunted, with the worst faults of shallow minds, irreverence to age and experience, childish petulance, and the pretence of knowledge without the reality. Such a transition period would be fraught with the gravest dangers, social and political. To win its way successfully and surely, the new civilization must come fully equipped and accoutred. It must bring with it not only all its settled creeds, but the proofs on which their higher truth is grounded. The Indian mind must be made to understand and appreciate it before it can be safely allowed to grapple with the old civilization."

Having thus defined the true aims of Indian education, Pherozechah went on to express his conviction that for a long time to come elementary education of the masses must give place to a

the elder Mehta a burden of which he was anxious to be relieved. His son with his extravagant habits had spent quite a small fortune during his three and a half years' stay in England. Pherozeshah delayed his departure, however, as he wanted to give a few finishing touches to his education. Ultimately, with the good wishes of those who were taking a sympathetic interest in his career, and to the regret of his intimate associates, who felt that life was losing much of its savour by his departure, Pherozeshah sailed for India in September, 1868. Those four years which he had spent in England had been among the happiest in his life, and had equipped him with much that went to the making of his remarkable public career.

## CHAPTER III.

### EARLY YEARS AT THE BAR.

1868-1876.

ON the way out, Pherozeshah made the acquaintance of an Englishman occupying high office in India, Mr. William Wedderburn (as he then was), one of the most earnest and disinterested champions of its interests that this country has ever known. Through the good offices of the latter, the young barrister was on his return made a Justice of the Peace, and thus given an early opportunity of acquainting himself with the municipal affairs of the city, which were then vested in the hands of the Bench of Justices.

On the very afternoon of his arrival, Pherozeshah attended a function which had a peculiar interest for him. It was held at the Framji Cowasji Institute, where a large and distinguished company was gathered under the chairmanship of Sir Richard Couch, Chief Justice of Bombay, to bid farewell to Sir Alexander Grant, who was retiring from the country to take up the appointment of Principal of the Edinburgh University, which some years

before, he had sought to obtain, but without success. The latter was very glad to get an opportunity of meeting his young friend whom he greeted as one who had come back, "fresh with the legal atmosphere of Lincoln's Inn upon him." The address, which was numerously signed by his friends and pupils, testified to the warm regard and affection in which Grant was held by all classes of people. By his devoted labours in what was almost a virgin field, he had deserved well of the City and the Presidency. The history of education in Western India contains the names of many distinguished men, but none greater than that of the gifted translator of the Ethics of Aristotle, who, in the early Sixties, moulded the lives and thoughts of a generation eager to learn, and to spread the light of education far and wide in the land.

Pherozechah lost no time in settling down to the work of his profession. He rented chambers in a somewhat rickety old house in Apollo Street, where the inevitable period of waiting for briefs that seemed a long time in coming was enlivened by the excellent company that gathered there every afternoon after the day's work was over. In those days, the High Court was located in a building occupied later by the Great Western Hotel. The Appellate Court with its various establishments was at Mazagon. At the head of the

Judiciary was Sir Richard Couch, an eminent judge, who was supported by able colleagues, and by an eminent Bar which included that eccentric genius T. C. Anstey.

The little group of briefless juniors, which spent its time mostly in the corridor or the common-room, had an uphill task before it. It is true the profession was not over-crowded, and competition in the sense in which it is understood now did not exist. But the entire practice was more or less concentrated in the hands of a few eminent counsel, such as Anstey, Scoble, Green, Latham, White, Mariott and one or two others. It was a very difficult thing either to dislodge them from their position, or even to carry away a few crumbs from their richly-laden table. Compared with the Bar of the present day, these contemporaries of Pherozezshah might be regarded as veritable giants. The litigant public hung upon them, and took no notice of the knot of hapless juniors hungrily looking for briefs. Budrudin Tyabji, son of an enterprising Borah merchant, and the first Indian to join the Bombay Bar, was, perhaps, the earliest to make his way up. He had the backing of his brother Cumrudin, who was the first Indian solicitor. Shantaram Narayen and Nanabhai Haridas also commanded some practice, but it was on the appellate side. There were hardly any firms of Indian attorneys to give the

young men a lift in the profession. A deal of patronage rested in the hands of managing clerks, whose smile was to be courted, and some of whom were as important figures as the solicitors whom they served.

The indifference of attorneys and the haughtiness of seniors did not, however, weigh on the spirits of the gay little coterie that daily met in Pherozeshah's chambers. They were spirited young men, full of the *joie de vivre*, and they divided their time between tea-parties, political discussions and practical jokes. One of the unwritten rules of the company was that each newcomer on his arrival was to entertain his colleagues to dinner. These functions were usually held in a private room at Old Pallonji's Adelphi Hotel, situated at Byculla, which was then a fashionable locality. It was the first hotel worth the name, and through the personality of its dear old proprietor, familiar to hosts of Englishmen and Indians in all parts of the Presidency, it had come to be regarded as an institution. The dinners were highly successful and popular, and promoted friendly intercourse. One of the newcomers, 'Homi' Bennett, contrived to avoid the function, however. A citation on a printed form obtained from the Sheriff's office, and drawn up in all the ponderous legal phraseology was issued, requiring the culprit to appear "at



the bar of the Dinner Tribunal, *coram* Pheroze-shah Mehta," to show cause why he should not be put out of caste. A court-peon was got to serve the rule on him, as he sat one afternoon in one of the courts, whilst the "Tribunal" awaited results in the common-room. They had not long to wait. Following on the service of the citation, the newcomer who was of a very irascible temperament, and unable to appreciate the joke, rushed up in a towering rage, made straight for Pheroze-shah, caught hold of him, and threatened to throw him out of one of the windows overlooking the old ice-house, one of the land-marks of Bombay that has recently disappeared. Prompt and vigorous intervention prevented a fight, however, and harmony was ultimately restored by the delinquent offering reparation in the shape of a modest lunch washed down with a hock-cup. Those were happy days indeed. In later years men saw much of Pheroze-shah at various places, at the Ripon Club, the Presidency Association, and the chambers at Esplanade Road which were a regular *salon*. They found him courteous, affable and full of genial humour. But nowhere did he give such play to his fancies and ready wit as he used to do in that choice circle of early friends, full of the hopes and ambitions of youth.

With the removal of the Court to the imposing pile of buildings on the Oval, the little group dispersed in various directions, and the *salon* saw less and less of them. Budrudin Tyabji got loss in the ever-increasing volume of briefs ; H. A. Wadya winged his way to Rajkot to earn wealth and fame ; Limji Banaji accepted a subordinate position in the High Court ; C. M. Cursetjee got absorbed in the mofussil judiciary ; ‘Dady’ Cama returned to London to take charge of his father’s business ; Bal Mangesh Wagle went to Baroda as Chief Judge in the wake of Dadabhai Naoroji appointed prime minister of the Gaekwad, and poor Bennett developed homicidal mania and committed suicide. One by one they all disappeared, some to meet again under different circumstances, and in different surroundings. As one who cherishes the most vivid recollections of those unforgettable days writes, “crowds indeed have since come and gone and filled Pherozeshah’s chambers, but never did the flavour and fragrance of the familiar intercourse of the old circle of those happy early days return ; other times succeeded, and other men and manners.”

The time during which Pherozeshah had to cool his heels was not wasted by him. He was very regular in his attendance in the various courts, and assiduous in his study of text-books and reports. He attracted to himself the favourable

notice of Justices Westropp and Bailey, the latter of whom was very sympathetic and hospitable to the little contingent of Indian barristers. Off the Court, Pherozechah amused himself by writing in various journals, including *The Indian Statesman*, a paper founded by that "Bayard of Indian Journalism," Robert Knight. He set himself up occasionally as a dramatic critic, being fond of the theatre, and once invited on himself a very scurrilous attack from one of the outraged dramatists whom he had criticized. With the aid of the unfortunate 'Dady' Patel, a scion of a very respectable family, with whom theatricals were an obsession, he stage-managed several amateur performances got up in aid of local charities.

By slow degrees, work began to flow in the direction of Pherozechah and his friends. The atmosphere which surrounded the young men began to be less frigid, as gradually Anstey, Mariott, Macpherson, Scoble and others showed themselves friendly to them. The process of climbing up was, nevertheless, a somewhat slow one, and in the struggle several gave up practice at the Bar, and succumbed to the little temptations that were held out to them. In this way, some of the close and constant companions of Pherozechah were snapped up, and the Bar knew them no more. From the first, Pherozechah, confident in his

abilities, had determined not to be turned aside by any considerations whatsoever from the pursuit of his profession. As he himself once said at a gathering in his honour, "an eminent member of Government, a most broad-minded man and a man of high liberal culture," had sent for him very shortly after his return from England, and offered to appoint him as a First Class Sub-Judge. It was a problem for him, for briefs were not too frequently coming in those days, and as his friends reminded him, his income just enabled him to go to a restaurant occasionally. But he declined the offer, and there is no doubt that the chief reason which prompted his action was his desire to preserve his independence, and to keep himself free to serve the public interest, which was always very close to his heart.

Pherozeshah's confidence in himself was ultimately justified, for his abilities, powers of exposition, and skill in cross-examination began to compel recognition, and attorneys unbent themselves and smiled on the promising young counsel. One of the earliest cases which brought him into prominence was the celebrated Parsi Towers of Silence case, which excited public interest for weeks on end. He had the good fortune to be Anstey's junior in that case. That remarkable man, though not very pleased at first with the idea of having an inexperienced Indian briefed with him,

soon came to form a high opinion of Pherozechah, though he could not quite reconcile himself to the latter's massive turban ! In Anstey's opinion, publicly expressed, his brilliant junior had " all the germs of future eminence in him."

But it was, after all, mofussil practice that laid the foundations of Pherozechah's remarkable success at the Bar. From an early period, Gujarat and Kathiawar began to requisition the services of the young lawyer, who had a habit of giving his opponents such an uncomfortable time, and who stood no nonsense from even the most arbitrary judge or magistrate. The Surat Riot case, which arose from the introduction of the License Tax in the Seventies, securely established the reputation he was making, and placed him at once in the front rank of mofussil practitioners. The ability, resourcefulness, and forensic eloquence which he displayed in the case made his name famous throughout Gujarat, and briefs began to pour in from all quarters. That settled the direction of his professional career, which thereafter lay largely in the mofussil, though, if he had chosen to, he could have commanded an extensive practice in Bombay, where clients were no less eager to engage his services. But with his growing public engagements, it suited him to cultivate mofussil practice, which was by no means as exacting as work in the High Court, and was equally lucrative.

His professional engagements took him to all parts of the Presidency, and familiarized him with the modes and habits of life and thought of people of all conditions. Facilities for travel and accommodation were very inadequate in those days, when the railway had not penetrated to all parts of the country, and a good deal of roughing had to be done, to which Pherozeshah, who had not developed the extreme fastidiousness of his later years, cheerfully submitted. Among other places, he went sometimes to the Chief Commissioner's Court at Mount Abu. The journey had to be made from Ahmedabad, *via* Deesa, in a 'dumni' cart drawn by bullocks. In the hot season, the intense heat of the scorching plains of Rajputana made travelling by day very uncomfortable; so the 'dumni' cart used to roll on all the night, discharging its burden at some indifferent rest-house or dak bungalow, where the day was spent in rest and sleep.

Discomfort and fatigue, however, made no difference in Pherozeshah's habits. He always had his bath in the morning and scrupulously performed his toilet, which was a somewhat elaborate affair even in those days. It gave him a good appetite for breakfast, which he enjoyed despite the heat and tedium of the journey. The only thing he disliked was physical exertion, which after his college days, he carefully avoided.

On one occasion, as he was approaching Deesa in company with his friend, "C. M. C.," who was holding a junior brief, news arrived that the clients had sent for "Pherozechah Saheb" a couple of riding-camels to take the party into the town, some twelve miles distant. The announcement left the latter unmoved, and he turned to sleep again. His companion was out in a twinkling, and galloped into Deesa three hours before the leisurely 'dummi' cart made its way into the town. Those were unforgettable days, when Pherozechah laboriously laid the foundations of a vast practice, and when his journeys to various parts of the Presidency had not yet assumed the character of travels in state at the expense of clients, only too anxious to have the great man on his own terms.

The atmosphere in which Pherozechah moved was stimulating in many ways, and gave tone to his character and mental attitude. The Bar in his time was very energetic, and jealous of its rights and privileges. In 1871, when the Indian Evidence Act was on the anvil, it sent up a strong protest to the then Viceroy, the Earl of Mayo, against some of the provisions of the Bill, which by implication cast a reflection on the integrity and independence of the legal profession in India. The distinguished jurist who drafted the Act, Sir James FitzJames Stephen, though he

complained of the uncompromising vigour of the strictures of the Bombay Bar, thought it prudent, however, to drop the objectionable clauses. It may be mentioned in passing, that during the discussions on the Bill, Sir George Campbell, the Lieutenant-Governor of Bengal, distinguished himself by suggesting that "if they could not altogether abolish the lawyers, there should be a section to the effect that no lawyer should open his mouth with respect to the question of the admissibility or inadmissibility of evidence!" Evidently, the bureaucrat's dislike of lawyers is not the creation of recent times, nor the result of the latter's virtual monopoly of political power.

On another occasion, the Indian section of the Bar made a spirited protest against its exclusion from an entertainment which was proposed to be given to Sir Joseph Arnold, the eminent judge and scholar, who was retiring from the Bench. The English members of the profession had decided to give a Bar dinner at the Byculla Club. Pherozeshah and his friends stoutly protested against this procedure. They pointed out with much justice that no demonstration could properly be said to be made by an entire profession unless all the members were free to participate in it, and they further resented the introduction of an invidious racial distinction, which would not have very happy consequences in the future. The



proper course was either to select some place other than the sacred precincts of the Byculla Club, or to confine the entertainment to friends and admirers. The Advocate-General to whom this protest was addressed took refuge in some technicality, and the representation failed to affect the matter at issue.

A little later, the racial question cropped up in another form, and this time Pherozechah's connection with it was much more personal and intimate. He came forward to voice the grievances of the Indian Bar with regard to the distribution of the many posts and offices which were subject to the patronage of the Chief Justice. In a letter over the initials P. M. which he wrote on the 9th May, 1873, to *The Indian Statesman*, Pherozechah pointed out that for 25 English counsel who were drawing in the aggregate £25,000 a year, there were 14 Indian barristers getting between them less than a tenth of that amount. To this a brother member of the Bar, Mr. Constable, gave a reply, in which he attempted to show that Pherozechah's figures were misleading, and that there was a large number of appointments held by Indians, who had no reason to complain of the manner in which the patronage had been exercised. Pherozechah, of course, was not to be silenced, and the rejoinder which he gave pointed out that "it was in distributing the good loaves that the natives were

passed over," an argument which had a wider application than the matter at issue called for. The result of this spirited little encounter was that Pherozeshah was called upon for an explanation by the Bar Association, his criticisms being considered a breach of professional etiquette. On the advice of Anstey, he refused to recognize its jurisdiction, and to tender any explanation, taking his stand upon the privileges of journalism. How this interesting episode terminated may not be related, as the minutes of the meetings of the Bar Association are strictly private, and no curious eyes may pry into their secrets. It was his first encounter with constituted authority, and though he did not exactly come off with flying colours, he emerged from the fight without so much as a scratch.

## CHAPTER IV.

### POLITICAL APPRENTICESHIP.

1869-1870.

THOUGH his circumstances and habits of life made it necessary for Pherozechah to build up a substantial income, from his youth he had determined to devote himself to public affairs. It was not long after his return from England that he was admitted within the ranks of those who were striving to infuse political activity into a city more or less absorbed in the pursuit of commerce and industry. At a public meeting held in Bombay under the chairmanship of Sir Jamsetjee Jejeebhoy, second Baronet of that name, the Bombay Branch of the East India Association was launched into existence amidst considerable enthusiasm. The Bombay Association, which had as its secretary that rugged and sternly independent publicist, Naoroji Furdunji, who was known as "the tribune of the people," had done useful work in championing Indian interests, but had ceased for some time to be an active political force. The new organization had somewhat different objects in view. In the words of its

founder, Dadabhai Naoroji, it was to act simply as a messenger and an agent of the parent institution. In after years, when the latter ceased to represent the ideas and ambitions of its early founders, the possession of the funds of the Bombay Branch became the subject of a bitter controversy, which arose out of the character of agency stamped upon it on its foundation.

Pherozechah and Mr. Bal Mangesh Wagle were appointed the first secretaries of the new Association. In moving their appointment, one of the speakers referred to them as young lawyers and distinguished graduates of the University, and hoped that "they would not allow their youthful enthusiasm to cool down when briefs began to accumulate upon their hands." The suggestion underlying this remark was not unnatural. Too often have the prizes of a professional career succeeded in withdrawing some of our best intellects from the arena of public life. But little did the speaker realize that in one at least of the youthful secretaries, there dwelt a spirit of devotion which was no less remarkable than the talents which he so freely devoted to the service of his country.

The first public activity of the new recruit to the ranks of political workers was in the direction of organizing a testimonial to Dadabhai Naoroji in recognition of the eminent services he was

rendering to India. The Grand Old Man was then on the threshold of his unique career, whose inspiration was to touch an ever widening circle, and to witness at its culmination the triumph of the principles which were the mainsprings of its activities for more than half a century. The people of India already recognized in him an unflinching champion of their best interests, and the testimonial got up by the citizens of Bombay was but one of the many proofs of their confidence and regard. To the pleasant task of making it worthy of the recipient, Pherozechah applied himself with energy, and his labours and those of others, backed by an enthusiastic public, resulted in the collection of a handsome amount, which was presented as a purse to Mr. Naoroji in July, 1869, at a meeting largely attended by all classes and communities, and which might be regarded as the first representative gathering of the citizens of Bombay. It was entirely characteristic of the man that, poor as he was, he devoted the whole of that sum later on to the furtherance of the causes which were so dear to his heart.

In December, 1869, Pherozechah delivered a lecture before the Bombay Branch of the East India Association on the Grant-in-Aid system in Bombay. In his paper before the parent body in London, he had taken a general survey of the position of education as it stood at the time. He

had dealt briefly with the Grant-in-Aid system and condemned it. The present lecture was devoted to a more exhaustive treatment of the subject, and was directed towards showing that the policy of the Government had been largely responsible for the slow progress which education had made in India. After pointing out that whatever success the Grant-in-Aid system had achieved in England was due to the widespread perception of the general and special advantages of education, the existence of a richly-endowed set of colleges and grammar schools, and the necessity for the recognition of a denominational system of education, the lecturer proceeded to show that these conditions did not exist in India. He was of opinion that the framers of the celebrated Despatch of 1854 had set too great a store by the growing appetite which the richer classes were supposed to feel for the acquisition of knowledge. Such, however, was not the case. Nor were the Directors right in thinking that the system was likely to foster a spirit of self-reliance which was of great importance for the well-being of a nation. In Pherozeshah's opinion, nothing was more calculated "to induce the instinct of self-government than a thorough liberal education of a high order," and it was better at once to establish a full-blown educational system which would give an impetus to the movement

towards self-government, than to adopt a system which would achieve that end by a slow and laborious process. As to the ways and means, the lecturer suggested :

“ In the first place the State should establish such a frame-work of a complete co-ordinated system of primary schools, secondary schools, or, as we call them High schools, Normal schools, general and technical colleges and universities, as, without being too elaborate, might be capable of expansion and development with the progress of the times ; and secondly, that whenever an educational institution, say a High school, could be established in a certain locality, the Government should set about directly to supply the want with private, local and other aid if it was forthcoming, without waiting for it if it was not, and further that it should do so in a thoroughly efficient manner, without leaving it unprovided in any essential particular.”

The lecture then dealt with the question of expenditure, and concluded after a brief but luminous survey of what European countries had done in the cause of Education. The discussion that followed was interesting. Mr. Ranade took strong exception to the strictures which had been passed on the Board of Directors,

who in his opinion had certainly not erred in their magnificent conception of a national scheme of education, suited to the circumstances of India at the time, and towards whom it behoved them all to assume a most respectful tone. As for the Grant-in-Aid system, it had worked very well, and in any case it was too early to sit in judgment upon it. It was obvious that Government with the assistance of private liberality or enterprise must accomplish greater work than pure Government agency could hope to achieve. Mr. Bal Mangesh Wagle defended Pherozeshah against these criticisms, and in support of the view advanced in the lecture that the richer classes had not yet begun to appreciate the advantages of education, gave the instance of a boy who wanted from him a certificate of poverty to enable him to be admitted as a free student in the Elphinstone College, and on whose marriage only a month before Rs. 5,000 had been spent by his parents ! Mr. Wedderburn, who was present, stated that whatever might be thought of the question of higher education being subsidized, there was no doubt it was the duty of the State to provide primary education for the masses, and the system at work appeared to be well adapted to secure the end in view. The general opinion as expressed at the meeting seemed to be that the Grant-in-Aid system had not worked badly.



In the light of the progress made during the last 50 years, we are in a position to estimate how far Pherozechah's criticisms were justified by the event. To start with, it may be admitted that from the financial point of view, State education by itself is a much more costly affair than a system which relies upon the co-operation of the public. But there is a good deal of force in what Pherozechah contended, that an intelligent and educated population is the best means of developing the resources of a country, and well might we ask with him whether it was, after all, bad policy to spend, say, one per cent more of the revenues of the country on educational objects, and "to pour a veritably vital life-blood into the shrunken veins of Indian culture at such a cost, and thereby, indirectly but surely, accelerate the buoyancy of the Indian revenues through a thousand unforeseen channels."

That the policy of the Government in the matter of education has not been marked by imagination or statesmanship will be conceded by most people. At the farewell gathering already referred to, on the eve of Sir Alexander Grant's retirement from the country, he spoke with bitterness of the one per cent devoted to the cause of education, science and art, and observed with much force "when we consider the 40 per cent devoted to the military department we must, I think, consider that it is

somewhat surprising that people should be heard boasting that it is the pride and duty and mission of England to educate the people of India, when such a wretched pittance as this is all that is given for the advancement and spread of education." There was nothing to wonder at, however, in such a state of things, for, as Pherozeshah suggested, what was really wanted was faith in the mission of education. Many good people seemed to think with Ruskin that modern education had "devoted itself simply to the teaching of Impudence." The Despatch of 1854 had breathed a spirit of genuine liberality, and had grandly conceived the scope and purpose of education for the people of India. Normally developed the policy outlined by the Despatch would have borne results worthy of its framers. But the Mutiny of 1857 rudely upset the balance of mind of many Englishmen, and induced a different outlook altogether. That high-minded Englishman, Allan Octavian Hume, who later became the Father of the Congress, complained at the time that "many entirely disapprove of any efforts to cultivate the native mind, many condemn as unconditionally a merely secular education." Sixty years have since rolled by, and yet who can say that the old prejudices against education have died away? There are signs, however, that more enlightened views on the subject are

beginning to prevail, and the responsibility of the State on which Pherozeshah laid such emphasis, is coming to be more widely recognized.

About this time, public attention was focussed on a controversy which has dragged on for more than half a century, and on which the curtain has not yet been rung down. The question of the larger admission of the children of the soil into the ranks of the Covenanted Service has occupied the foremost place among the political problems of this country. The Act of 1833 laid down in emphatic terms the principle of equality, and declared that "no native of the said territories, nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any place, office or employment under the said Company." The question was earnestly considered at the time of this declaration, and sympathy towards the legitimate ambitions and aspirations of Indians was expressed by Sir Robert Peel, Lord Lansdowne and other British statesmen. The subject was again to the fore in 1853, and among the measures suggested for introducing a larger Indian element in the administration was a proposal for holding simultaneous examinations in England and in India. A departmental committee of the India Office accordingly went into the question in 1860, and declared that it was not only

just but expedient that the natives of India should be employed in the administration of India to as large an extent as possible, consistently with the maintenance of British supremacy. After observing that no positive disqualification of Indians existed even at that time, the Committee went on to say :—

“ Practically however they are excluded. The law declares them eligible, but the difficulties opposed to a native living in India and residing in England for a time are so great that, as a general rule, it is almost impossible for a native successfully to compete at the periodical examinations held in England. Were this inequality removed, we should no longer be exposed to the charge of keeping promise to the ear, and breaking it to the hope.”

After discussing the schemes that had been proposed to remedy the existing inequality, the Committee unhesitatingly declared itself in favour of simultaneous examinations “ as being the fairest and most in accordance with the principles of a general competition for a common object.” Such was the considered opinion of a body whose competence or impartiality could not be challenged. Needless to say, however, nothing was done, and the question after being continuously agitated for over half a century

has now ceased to possess any interest whatever for the people of this country. In the Sixties, however, hopes ran high, and the energy and enthusiasm of Dadabhai Naoroji, and the youthful band which followed his lead, kept the question prominently before the public. In August, 1867, Dadabhai read a paper before the East India Association advocating that competitive examinations should take place in India for a portion of the appointments to the Civil Service. An interesting discussion ensued, and it was resolved to submit a memorial to the Secretary of State for India. A deputation from the Association accordingly waited upon Sir Stafford Northcote, who expressed himself favourably with regard to the changes proposed, and stated that he was in correspondence with Sir John Lawrence and others in India on the subject. A year later Dadabhai read another paper before the Association, dealing, with the thoroughness characteristic of him, with all the objections urged against the suggestions contained in the memorial. The immediate object of the paper was to support the following motion of Mr. Fawcett in the House of Commons :—

“That this House whilst cordially approving of the system of open competition for appointments in the East India Civil Service, is of opinion that the people of

India have not a fair chance of competing for these appointments as long as the examinations are held nowhere but in London ; this House would therefore deem it desirable that simultaneously with the examination in London, the same examination should be held in Calcutta, Bombay and Madras."

The end of it all was the introduction by Sir Stafford Northcote of the East India Bill, clause 6 of which empowered the authorities in India to appoint Indians to any office, place or employment, even though they had not been admitted to the Civil Service of Her Majesty in India. In other words, instead of the principle of competition upon equal terms which was demanded, a principle of selection was introduced, which could not but be arbitrary in its working, let alone its other objectionable features.

The Bill had a somewhat mixed reception. Some people were disappointed that the scheme of simultaneous examinations had found no place in it, while others were willing to recognize the good intentions of the Secretary of State, and to discover in the Bill the first measure of fulfilment of the legitimate aspirations of Indians to share in the governance of their country. Among the latter was Dadabhai, who, in a paper, forwarded from Bombay, where he then was,

to the East India Association, took up an attitude of hopefulness and a desire to give the scheme a trial. This optimism, it is interesting to note, does not appear to have been shared by some of his young disciples, for in 1870 we find Pherozechah vigorously attacking the proposals outlined in the Bill. In a paper read before the Bombay Branch on the 27th April, he entered upon a spirited defence of the competitive system, winding up his argument with a long quotation from Macaulay, who at the close of a striking passage in one of his speeches in the House of Commons on the occasion of the passing of the Act of 1853—when the Civil Service was first thrown open to competition—had laid down the general conclusion that those men who distinguished themselves most in academical competition when they were young, were the men who in after years distinguished themselves most in the competition of life.

Pherozechah regarded the competitive system as infinitely superior as a test of qualification to appointment by selection, which he condemned as opening the door to jobbery of the worst character, and as being unjust and demoralising to the Indians whom it was intended to benefit. He could not understand how anyone could fail to perceive the relative value of the two systems,

and he felt that there was some silent reason operating on the minds of the framers of the measure. He could not help thinking that they must have been led away by the specious argument that intellectual cultivation did not induce moral cultivation. This belief has been general, and has found expression in a variety of ways and been largely exploited for political ends; and those who have followed the educational policy of the last few years cannot fail to have been struck by the retrograde tendency which has manifested itself in several directions. At the beginning, however, the question was free from the political taint which has so largely dominated the consideration of it at the present day. A striking passage in Pherozeshah's paper, which will bear extensive quotation, deals with these insidious attacks on "literary" education, which have become such a fashion in recent years :—

“ If we took those periods in the development of a society when morality did not exist separately, but was still absorbed in religion, it would be perfectly true to say that intellectual culture did not teach morality. Thus, during the early ages of Christianity what intellectual training there was would have been utterly insufficient to form the morals of its pupils. In those days nothing



could have performed that task so well and so thoroughly as a religious education. History abounds with instances of such periods. There was a time when Judaism possessed its sole and best culture in the Mosaic books. There was a time when Hellenism had to look only to the theological poems of such men as Homer and Hesiod ; there was a time when Mohamedanism depended for its civilization on the Koran alone. The next stage, however, of the progress of these societies, if they succeed in advancing to it, is one in which morality emancipates itself from religious shackles and appears under other shapes and other forms. Such has been the case with English in common with all Western civilization. The Apostles and the Fathers are now superseded by Poets and Historians and Philosophers. Not that these people have taken to preaching and inculcating directly and indirectly the moral precepts once contained in the Bible and its Commentaries. The transformation takes place in a less demonstrative manner. The religious teaching slowly distributes itself in the shape of moral axioms and ideas, which in their tradition from posterity to posterity, instil themselves into the

mind as its first principles. These first principles mould in after life all your thoughts, your actions, and your utterances. The Poet, the Historian, the Philosopher cannot sing or write but on the condition of remaining true to this heritage which they receive. And once you have a complete literature so thoroughly and unconsciously imbued with the highest moral teaching of the day, then religion has done its peculiar work, and intellectual education coincides with moral cultivation."

At the close of the lecture several resolutions were passed which condemned the Bill as likely to lead to the perpetration of political jobbery, and not calculated to open the doors of the Civil Service to Indians in the most honourable manner, in the words of Macaulay, "by conquest, as a matter of right, and not as a mere eleemosynary donation." The meeting was further of opinion that "the natives of India while protesting against exceptional obstructions which are not shared generally, are, however, ambitious of obtaining admission to the Civil Service of their country in a fair fight and open competition."

Despite all this agitation, the Bill became law as it stood. It may be stated here that little was done under the Act till 1879, when rules

were framed by which one-sixth of the posts reserved for the Covenanted Service were to be ultimately set apart for Indians ; and for gradually carrying out this intention, the number of posts thrown open for competition in England in 1880 was reduced accordingly. It will be seen at once how inadequately this scheme fulfilled the hopes and aspirations which had been aroused. In 1870, when the Act was passed, there were only nine Indians holding the higher appointments. Within the next 20 years but sixty more Indians were able to get themselves appointed " Statutory Civilians " under the rules. Such was the measure of fulfilment of the promises held out at the time. Even Lord Lytton had to admit, in a secret report to the authorities in England, that the people of the country had been " cheated " of their hopes.

The Statutory Civilians had a somewhat short and ignoble career. Their recruitment justified in the main the criticisms of those who had condemned the system, and an outcry was raised for its abandonment. A Commission was appointed in 1886, " to devise a scheme which might reasonably be hoped to possess the necessary elements of finality, and to do full justice to the claims of natives of India to higher employment in the public service." But of that hereafter.

## CHAPTER V.

### MUNICIPAL REFORM AGITATION.

1870-1871.

THE period with which we are dealing was noteworthy for a great struggle for the establishment of local self-government in Bombay on sound and progressive lines. It may be instructive to recall the various stages through which municipal government in the city had to pass before it achieved the success which its admirers claim for it, but which the general public shows increasing unwillingness to admit, judging by the bitter criticisms that daily flood the newspapers. The growth of a constitution is not a subject merely of antiquarian interest; no enduring monument of statesmanship can be raised, unless the lessons of the Past are firmly laid hold of, and applied towards the solution of the new problems that continuously confront the world.

Before the memorable régime of Mr. Arthur Crawford, when the administration was in the hands of a board of three commissioners, the city was in a most insanitary condition. Various experiments in municipal government had been

tried, but none of them had succeeded in ridding Bombay of her filth and dirt and general insanitation. There was a more or less complete absence of even the ordinary comforts of town-life, let alone its amenities. There were no roads to speak of, only narrow and tortuous lanes and streets, and it is difficult to imagine what the present-day critic would have said of them. Such markets and slaughter-houses as were to be found were centres for disseminating infection and disease. As regards the conservancy system, the *halalcure* was master of the situation, and was in a position to impose his own terms. Scarcity of water and outbreaks of epidemics like cholera and small-pox were more or less normal features of the city's life in those days.

It was under such conditions that the Act of 1865 came into being. It did away with the absurd system of administration by three commissioners, which had proved so disastrous, and vested the sole executive power in the hands of a single official, responsible to the Bench of Justices. A Controller of Municipal Accounts was appointed to prevent abuse of authority by the Commissioner. The Justices of the Peace of the Town and Island of Bombay were constituted a body corporate with a common seal, for there was no other representative body of men to whom municipal government could be entrusted. The Act came

into existence on a day which is known in the annals of the city as the Black Day. It was on the 1st July, 1865, that the huge fabric of speculation, which the prosperity following in the wake of the American Civil War had reared up, came tumbling down, involving banks, commercial houses, company promoters, stock-jobbers and merchant princes in one vast ruin. It was indeed a day of tribulation and tears on which Bombay received her charter of municipal government.

The new régime was heir to a bankrupt estate. Nevertheless, a vast programme of improvements was undertaken by the Commissioner, Mr. Arthur Crawford, supported by his energetic assistant, Dr. Hewlett, the Health Officer. The years that followed witnessed strenuous activity in every direction. From being "one foul cesspool and sewers discharging on the sand," the City was made clean and healthy. The *halalcore's* tyranny was overthrown, and a sound conservancy system was established. Broad roads and foot-paths and adequate lighting arrangements were provided, and the citizens were no longer obliged to stumble in the dark along narrow and uneven lanes and thoroughfares. A satisfactory system of water supply was introduced, a market which was the envy of other towns was built, and open spaces were created in various centres. The old ramparts which surrounded the Fort had already been pulled

down, a large area on the western foreshore had been reclaimed, and various other improvements had been effected under the inspiration of Sir Bartle Frere, the then Governor of Bombay, who saw in the Gateway of the East possibilities of development into one of the finest cities in the world. Mr. Crawford's vision was no less broad, and he laboured strenuously to bring Bombay in a line with the most progressive towns in the West. What he accomplished is writ large in her history. His ways were autocratic, however, and his disregard of the financial aspect of his policy was truly sublime. He brushed aside all constitutional checks, and both the Justices and the Controller of Accounts found themselves helpless before his masterful personality.

So long as things went well, this one-man-rule appeared to be free from objection, though not infrequently, lively encounters took place between the Commissioner and his critics on the Bench of Justices. But the Municipality was soon on the verge of bankruptcy, and all the pent-up forces of discontent which had lain under the surface for several years burst out, and a loud outcry was raised for doing away with the obnoxious Commissioner, and the Act which was supposed to be responsible for his autocracy. Public indignation was roused specially by the manner in which the taxes were collected. In the picturesque

language of one of the stalwarts of that period, "the vocabulary of denunciation had been exhausted in characterising the present method of obtaining the Municipal income as one of the most iniquitous things the sun looks down upon, either in torrid or temperate zones."

Various committees were appointed from time to time to consider this state of things, but this method of putting off the evil day, which seems to have been in fashion just as much in those unregenerate days as in our own breathless times, did not prove very satisfactory. Ultimately, the Justices were constrained to ask Government to appoint a commission to inquire into and report upon the administration of the Municipality, and the changes which were necessary in its constitution. To this the Government replied by inquiring—and not without reason—whether the Justices themselves could not, under the powers which they already possessed, secure a more complete control than they had hitherto exercised over the masterful Commissioner. This somewhat tactless reply did not improve matters very much, and only resulted in further committees being appointed and a few more irregularities being brought to light. At length, an exasperated public decided to take matters into its own hands, and a Ratepayers' Association came into existence in November, 1870. It lost no



time in sending up a monster petition to the Bench of Justices, detailing the grievances of the public and asking for redress. The Bench pleaded helplessness, and the memorialists were consequently obliged to approach Government directly.

In the meantime, however, the more active spirits on the Bench decided to bring the issue to a head, and Mr. James Forbes, one of the leading merchants of the day, placing himself at the head of what may be called the Opposition, gave a notice of motion to have the constitution of the Municipality altered, so as to secure more effective control of the executive, and greater efficiency and economy of administration. A special meeting of the Justices was called on the 30th June, 1871, in the Durbar room of the Town Hall to discuss the proposition. It was a memorable meeting in more ways than one. Unparalleled scenes of enthusiasm marked the occasion, and a procession with bands playing marched past the Town Hall to stimulate the zeal of the reformers. All Bombay and his wife seemed to be present to watch the great struggle between the reformers and the champions of the Crawford régime.

“ The meeting was announced for three o’clock, but long before and long after that hour, Church Gate Street and Elphinstone

Circle were crowded with vehicles of every description, all trending their way to the rendezvous at the Town Hall. The large room in which the meeting was held was, as a matter of course, very soon filled to overflowing, but still fresh crowds kept surging up to the doors—only to be informed by the constables that there was not space for one more. The “oldest inhabitant” pronounced solemnly that there had never been such a meeting in his recollection. . . . Round a large table in the centre of the Hall, sat their worships on half a dozen rows of chairs, and the rest of the available space was packed with a dense mass of European and Native gentlemen in every variety of costume.” \*

Perhaps no other problem in the civic and political life of Bombay has brought together on one platform such a galaxy of talent as was in evidence on that memorable day in June. There were gathered at the meeting men distinguished in every walk of life, keen to serve the interests of the city they loved. Jamsetjee Jejeebhoy, Naoroji Furdunji, Sorabji Bengalee, Vishvanath Mandlik, Budrudin Tyabji, Pherozechah Mehta, Dosabhoy Framji, Mahadeo Govind Ranade, Narayen Wassudeo—such were among the representatives of the Indian community. The British element, which did not

\* *The Times of India*, 6th July, 1871.

then despise municipal work as it does now, was worthily represented by such notable men as Robert Knight, James Maclean, Martin Wood, James Forbes, Hamilton Maxwell, Captain Hancock, Captain Henry, John Connon and Thomas Blaney. These were the makers of the new Bombay, the foundations of which had been laid during the epoch-making administration of Sir Bartle Frere. They were gathered that evening to fight the battle of municipal reform, and to lay broad and deep the foundations of local self-government in the city.

The debate was worthy of the occasion, and lasted through four sittings. An enthusiastic public applauded every telling hit, and spurred its champions to do their best. It is not necessary to enter into a discussion of the proposition moved by Mr. Forbes, and the several amendments thereto, which were brought by both the apologists and the opponents of the redoubtable Commissioner, who gave and received many hard knocks in the course of the debate. The main feature of most of these proposals was the abolition of the commissionership, and the substitution in its place of an executive Town Council assisted by a Secretary. Considering the experience and capacity of the leaders in the movement, one cannot help a feeling of astonishment at the utter fatuity of this remedy for municipal mismanagement, for it was a revival

in another form of the joint control, which had proved such a disastrous failure in the case of the Board of Conservancy, and its successor, the triumvirate of municipal commissioners, who were in existence prior to 1865. There were, indeed, some members of the Bench who realized this, and were for retaining executive government in one single officer, but the proposals they put forward lacked the broad outlook and grasp of essentials, without which all reform was mere tinkering with the problem.

It was given to one man alone out of that large and representative body to lay his finger with unerring instinct on the weak spot in the municipal administration, and boldly to point out the right remedy. It was Pherozeshah who stood up in his place towards the end of that long and historic debate, and confidently told the Justices how they had all failed to grasp the real point at issue, and had been led away into reviving discredited schemes in a desperate endeavour to get out of their existing difficulties. The proposals he put forward, and which were ultimately embodied in the Act of 1872, reveal a political sagacity and breadth of outlook, which for a young man of twenty-six may well be considered astonishing, particularly when we remember that he was propounding principles which were but dimly realized even by the ablest among his colleagues. But it was a distinguishing characteristic of Pherozeshah even at that

early age that he could see further than any of his contemporaries, and possessed a shrewdness of judgment which was truly remarkable. His receptive mind had imbibed, besides, in the free atmosphere of England, ideas and principles of government which the writings of political philosophers like Mill had made current coin. He had also studied the working of self-governing institutions in the very home of political and civic freedom.

It was, therefore, with much confidence that Pherozeshah placed before his older and more experienced colleagues on the Bench of Justices his views on the question of municipal reform. After pointing out how the proposals of Messrs. Forbes and Naoroji Furdunji regarding an executive Town Council were radically unsound, he proceeded to show how even those amendments which recognised this had failed to touch the real cause of the break-down of the system. In Pherozeshah's opinion, it was not the Act of 1865 that was at fault so much as the constitution of the body which was charged with the administration of municipal affairs. "There never will be," he observed, "efficient municipal administration in Bombay, till there is a popular and responsible Bench of Justices elected at regular intervals by the ratepayers themselves, a consultative Town Council elected out of it, with a respon-

sible executive officer at its head, appointed by Government, and a Controller of Accounts appointed by the Bench to control the Commissioner." The speaker was aware that most people scouted the idea as absurd and visionary, and one, which in any case, would never be entertained by Government. As to the last objection, he ventured to say that the time was past when strong popular opinion on any subject could be successfully resisted by Government for any length of time. And as for the feasibility of the proposal to set up an elective body, he contented himself with a quotation from a notable speech made by Mr. Anstey at a gathering of the East India Association, in which that versatile and erratic genius had pointed out that local self-government in the widest acceptance of the term was as old as the East itself. Pheroze-shah wound up by declaring that only in such a bold and decisive measure as he had outlined, were to be found real salvation and efficiency, and that for that reason, he was unable to agree with any of the palliatives proposed by Mr. Forbes and other members of the Bench. The speech, able and impressive as it was, met with a somewhat cold reception ; for people were in no mood then to listen to original suggestions. They were all out to denounce the Commissioner, and the Act which was supposed to be responsible for his financial vagaries.

The memorable debate on municipal reform came to an end on the fourth day amidst scenes of enthusiasm. The net result of the half a dozen resolutions moved during the discussion, and the twenty-six speeches which were delivered, was a representation to Government to appoint a commission of inquiry, and to take the necessary action in the light of the various reports which had been made from time to time, and the resolutions which had been passed at the meeting. Government, thereupon, appointed a committee under the chairmanship of Sir Theodore Hope to inquire into the financial position of the Municipality. The report of the committee revealed grave irregularities, which led to a recurrence of the agitation. Again Mr. Forbes took the lead, and addressed a representation to Government asking them to relieve the municipality of its embarrassments, and to set up a system of administration on sounder and more progressive lines.

It was about this time, when the agitation was at its highest, and was being conducted on both sides with extreme rancour and violence, that Pherozechah decided to place his views on municipal government once more before the public. He regarded the question as one of general and imperial interest, and was anxious it should be discussed by a wider public than that before which he had laid his proposals on the first occasion. A

meeting of the Bombay Branch of the East India Association was arranged, and on the 29th November, 1871, Pherozeshah read his paper on the "Municipal Reform Question" at the Framji Cowasji Institute before a large audience. The chair was taken by Mr. Dosabhoy Framji, who, in his opening remarks, observed that he had no doubt it would be a pleasant evening, and that the lessons they might learn would be useful and instructive. How very "pleasant" the evening was going to be, the chairman was soon to realize.

The paper was an elaborate and detailed exposition of the views Pherozeshah had already propounded at the famous Town Hall meeting. After pointing out that Mr. Forbes and his supporters had allowed their zeal to overrun their discretion, with the confidence of youth he preached to his audience a homily on the duty of those who would aspire to lead their fellow-men. Said he :—

“ The self-constituted leaders of popular movements have a two-fold duty to perform. It is not sufficient for them to stand forth boldly to give loud utterance to the confused and incoherent popular cries. It is not sufficient for them to reiterate and proclaim the popular indiscriminate wailings and inconclusive analyses of the public grievances. There is another and a higher



duty cast upon them, the duty of guiding and rolling the movement in its proper path, of extricating it from the confusion of words and thoughts under which it usually labours, of analysing the genuine and substantial causes of it, of discussing and proposing measures well adapted to meet the end in view."

In this age of cant and cheap notoriety, when political reputations often depend on the persistence and vehemence with which the catch-phrases and the popular cries of the moment are reiterated, how many of our national leaders, one wonders, would be able to-day to stand this somewhat exacting test of true leadership, and to say that they have upheld the principles and convictions which animated their public career in more peaceful days? But to return to the subject. After criticizing the attitude of the leaders of the reform movement, Pherozechah entered upon a vigorous defence of Mr. Crawford, and showed what vast improvements had been effected during his strenuous régime. He pictured to his audience the woeful condition of Bombay as the Commissioner had found her in 1865. It was not a time for patient deliberation, but for prompt and vigorous action, for, "there is a crisis in human affairs when ordinary means avail not, when men must consent to strong measures on the sole condition that they are

efficient, when they must give up their freedom and lay aside their most cherished institutions, their most valued forms and guarantees of order and economy, and submit to the strong rule and the strong hand, absolute and arbitrary, on the sole condition that it fails not. Such crises are common in the history of the growth of minor institutions as of great states and commonwealths."

The hour had found the man, and Pherozeshah thought it was highly unjust that the magnificent work done by Mr. Crawford for the City should be allowed to be altogether obscured by the financial irregularities of which he was undoubtedly guilty. It was also a very muddled view of the situation to saddle the Act with the sole responsibility for the unfortunate position of affairs in which the Municipality had found itself placed. If passion and prejudice had not perverted the public mind, he continued, it would have been realized that the fault lay in nothing so much as in the constitution of the body charged with the function of enforcing the provisions of the Act. Elected by Government, and elected for life, the Bench of Justices was by the very conditions of its existence, organized only for inefficiency and incompetency. It was not their fault, for, as Bright once said of the Board of Directors of the East India Company, the Justices would be expected to act just about as well as any

other equal number of persons elected by the same process, standing under the same circumstances, and surrounded by the same difficulties.

The real remedy, Pherozeshah went on to point out, lay in the introduction of the free representative principle in the constitution of the municipal body. A careful study of Indian history showed conclusively that there was no racial or radical incapacity on the part of Indians for enjoying representative institutions. Village communities existed in India from very ancient times, and within their own sphere they used to exercise wide powers. There was ample testimony as to the ability with which they discharged their functions. It was, therefore, absurd to suggest that representative institutions were altogether foreign to the genius of the people of India. Equally fallacious and contrary to the teachings of History, was it to say that they were out of place in a system of government which was paternal in character. From these and other considerations, it was obvious that a measure of local self-government could safely be established, particularly in Bombay, where her citizens had given ample proof of their capacity and public spirit. Unless such a constitutional reform was brought about, it would be idle to expect any improvement in civic affairs. The changes proposed by Mr. Forbes and others were against all principle and experience, and were

a revival in another form of experiments which had failed disastrously in the past.

The views expounded by Pherozeshah in this paper may be read with profit to-day, not only for their lucid and vigorous exposition of first principles, but also as illustrating the maturity of thought and political sagacity which characterized the man even at that early age. The audience, however, was in no mood to appreciate the point of view of the lecturer, or the ability with which he had marshalled his facts and arguments. Blinded by passion and prejudice, it strongly resented his daring attempt to place the administration of Mr. Crawford in a proper perspective. It did not want any defence of the obnoxious Commissioner, and it conveyed its displeasure at the attempt in a somewhat forcible manner. Great disorder prevailed during the continuance of the lecture, and uproarious scenes marked its conclusion. As the following account will show, the proceedings were of a very lively character, and terminated amidst scenes of wild confusion :—

“ Mr. Pherozeshah then ascended the platform and began his paper. His introductory remarks elicited a few ‘hear, hears’ which stood out in bold relief against one or two vigorous hisses which seemed thrown in by some persons of taste, in order that the value of the slight applause should be

increased rather than drowned, and the sounds rendered more sweet by the additional charm of contrast. The lecturer however continued, though the short, sharp staccatoed hiss which marked every full stop, and which ultimately warned us of where the very commas occurred, was still sent forth with exemplary vigour and enthusiasm. Scarcely, however, had each of these gentle reminders of disapproval been uttered, then it had to do battle with an ocean of other cries of 'shame, shame, insulting,' mostly disputing its authority, and amongst which it soon expired. At length the paper was finished, when the dissatisfaction which was felt by many members became evident, whilst others, desirous of carrying on matters peaceably, cried 'order, order, chair, chair,' but to no purpose. The steam had been raised to too high a pressure, and it was absolutely necessary to blow off a quantity, and in this operation all sense of order and regulation seemed to be lost sight of. Mr. Sorabji Rustomji Bunsha rose and attempted to say a few words. The chairman rose, and he also attempted to say a few words, and it was too evident that others were longing to follow his example. The chairman,

finding a great obstacle in the way of his addressing the meeting in the person of Mr. Sorabji, who was carrying on matters very enthusiastically in another quarter, requested that gentleman to be seated—an argument, the force of which however that gentleman seemed unable to see—but as he faced the chairman evidently desiring to be convinced on the subject before he could give place to another, Mr. Dosabhoy took the opportunity of the momentary pause of proposing an adjournment. ‘Adjournment, adjournment,’ responded those on the chairman’s left. ‘Hear him, hear him,’ answered those on the right. Again the chairman attempted to make himself heard, but as by this time Mr. Sorabji was well launched, and in full swing, the expressions of indignation which escaped him were rendered no more intelligible. Each moment the confusion increased, till the whole meeting rose, as if by one accord, and each person began to raise his voice in defence of the party they considered in the right. Even in this, one might have heard the opinions of those who were pressing close to him, had it not been for the vigorous expedient which occurred to some, of laying into the tables with their walking

canes, right merrily. This, however, was eventually stopped by the gas being turned out just as the second chairman (Mr. Dosabhoj having stated that the meeting was adjourned and left) was about to take his seat. This had the effect of causing parties to see that they were really all in the dark, which it would have required many hours' talking to do."\*

Thus ended the "pleasant" evening of which the hopeful chairman had spoken in his introductory remarks. But the storm provoked by the fearless expression of such unconventional and unpopular opinions as abounded in the lecture did not easily subside. *The Times of India*, one of the most trenchant critics of the Crawford régime, while regretting that the disorder which prevailed at the meeting prevented the exposure of the "thundering mistake" that all improvements effected in Bombay since 1865 were due to the late Commissioner, went on to observe with reference to Pherozeshah :—

"But that gentleman may thank himself for the disorder that occurred. It is all very well to claim tolerance for differences of opinion, but it is wasting time and patience for any one to thrust before the public sentiments and pleas that have

\* *The Bombay Gazette*, 1st December, 1871.

already been disposed of by full debate. Life is too short, and the world too long to place its time at the disposal of ingenious or inconsiderate gentlemen like Mr. Pheroze-shah, who for the mere sake of debate strive to persuade men against the evidence of their senses. We had not the excitement, pleasurable or tedious, of listening to the paper in question, nor have we had the opportunity of perusing it, though it is in print, but we are quite satisfied with the accounts given of it, from which we infer that, excepting a few paragraphs, it is a peculiarly perverse, erroneous and sophistical production."

The article ended by expressing surprise and regret that the lecture should have been allowed by the committee of the Association to be read at the general meeting. That this was also the general feeling of the members of that body was made clear by subsequent proceedings. A requisition signed by about thirty members was sent to the chairman, asking him to call a special general meeting to consider the desirability of eliminating the paper read by Pherozechah from the records of the Association. A meeting was accordingly convened on the 18th December in the Framji Cowasji Institute. Dr. Bhau Daji was in the chair, and there was a large audience. Pherozechah was



present but walked out with one or two of his friends, shortly after the commencement of the proceedings, followed by a "tempest of hisses, varied by shouts of 'Order, Order,' and vigorous hurrahs." The proposition for expunging the lecture from the record was carried by a large majority, and the chairman wound up the proceedings by declaring that the paper was to be considered "as not read and as not worth discussion," and by apologizing for the incident, and assuring the public that there would be no recurrence of it in the future !

It was one of the most characteristic incidents in the career of Pherozechah. It was at once a measure of his strength of character and his political acumen. Few men would have ventured at his age to put forward views so utterly unpopular, and so greatly in advance of his times. But he possessed courage in a remarkable degree, and once his mind was made up on any question, he expressed himself with uncompromising independence, undeterred either by popular opinion or official displeasure. That his advocacy of Mr. Crawford was a little too vehement, however, must be admitted. He had been away for practically the whole of the period during which Bombay was "hausmanized," and he was greatly struck by the transformation which he witnessed on his return. This accounted for his zealous partisanship of the mas-

terful Commissioner, whose autocracy and extravagance had roused such intense feeling against him, and had so largely obscured the magnificent work he had done for the City.

The subsequent history of the municipal reform question may be briefly dealt with. In response to repeated and earnest representations, the Government went to the assistance of the Municipality, and a loan of Rs. 15 lacs was sanctioned by the Government of India on conditions which were most humiliating to the City. Thereafter, the work of reforming the municipal constitution was taken in hand, and a Bill was introduced in the Legislative Council on the 27th March, 1872, by the Hon'ble Mr. Tucker. Its provisions were of a most illiberal character, particularly those relating to the constitution of the Corporation. The latter was to consist of 80 members, out of whom 32 were to be elected by the Justices from among themselves, and 32 were to be nominated by Government from the same body. The remaining 16 seats were to go to ratepayers, half by election and half by nomination. There was to be a Municipal Commissioner as sole executive authority, and a Town Council in charge of the finances.

It is not surprising that these proposals with regard to the constitution were almost universally condemned. The Advocate-General, Mr. White, described the Bill as comprising the minimum of

representation with the maximum of Government control, and as giving “a homeopathic dose of the popular elective principle and an overwhelming dose of Government supervision.” *The Times of India* characterised the introduction of the rate-payers’ element as “the sprat thrown to the whale.” As a result of these and other criticisms, and representations from various quarters, the Bill underwent drastic changes, and ultimately emerged as a truly liberal measure. The number of members was reduced to 64, half of whom were to be elected by ratepayers, and a fourth by the Justices; the remainder were to be nominated by Government. A Standing Committee was created to keep an eye on the finances. The Government reserved to themselves the right of nominating the Commissioner, but the Health Officer was to be selected by the Corporation. It was a triumph of popular agitation, which, ill-directed at times, nevertheless achieved ultimately a fair measure of local self-government, which with a few modifications has survived to the present day. It must be said for Mr. Tucker that he was not a narrow-minded reactionary. He declared that he would be glad to see self-government extended, but he was of opinion that this should be done “not by sudden jumps or leaps in the dark, but by gradual progress by well-considered concessions, which may be progressively enlarged and increased

as the persons or classes to whom they have been granted show themselves fit for the boons given to them"—sentiments which from their constant repetition may be considered to be an article of faith with officialdom throughout the country.

It will be noticed how closely the Act of 1872 approximated to the ideals of municipal government so confidently expounded by Pherozeshah amidst obloquy and ridicule. Others, notably the redoubtable Mr. Maclean, have claimed the credit of this measure, just as there were not wanting people who arrogated to themselves many of the achievements of Mr. Crawford. But a just verdict will accord to Pherozeshah the singular merit of being the first among his contemporaries to diagnose the evils of the times, and to prescribe the right remedies. While others were preaching discredited formulas, he boldly stood up to outline a constitution, little understood at the time, but which was ultimately adopted, almost in its entirety, and which, in spite of many defects, has in its broad features endured for well nigh fifty years, and has given Bombay the best municipal government in the country.

## CHAPTER VI.

### A LITTLE ADVENTURE—THE VOLUNTEER

#### MOVEMENT.

1874-1877.

WE must bridge over a gulf of two years during which there is nothing remarkable to record, and take note of a little adventure which befel Pheroze-shah in 1874. It was in connection with the Bombay riots, which commenced with a brutal and unwarranted attack on Parsis by a mob of Mohamedans. The reason for this unprovoked assault was a supposed insulting reference to the Prophet contained in a book written by a Parsi vaccinator, and bearing the rather ambitious title: “The renowned prophets and nations, comprising the lives of Zoroaster, Moses, Christ and Mahomet, and abridged history of the ancient Aryans, the old Parsees, and complete history of the Jews, the Christians and the Mohamedans, together with an account of the creation of the world from the earliest period to the present time.” Out of deference to the feelings of the ignorant and the bigoted, this promising publication was suppressed by the Commissioner of Police, Mr. (afterwards Sir) Frank Souter, and the author was made to apologize for any affront he might have inadvertently offered.

This was not enough for the fanatical and turbulent elements of the Mohamedan population. They broke out into open lawlessness on the 13th February, 1874, invaded Parsi places of worship, tore up the prayer-books, extinguished the sacred fires and subjected the fire-temples to various indignities. Parsis were attacked in the streets and in their houses and free fights took place all over the City. Thanks to the weakness and supineness of the Police and the Government, hooliganism had full play, and considerable loss of life and damage to property were caused.

The public was deeply agitated, and a tremendous outcry was raised against the authorities. Bombay was in a ferment, and the Governor, Sir Philip Wodehouse, and Mr. Souter were subjected to bitter criticism for having allowed a law-abiding community to suffer at the hands of fanatical mobs. The attitude of the Commissioner was particularly hostile and objectionable, and contributed materially to the general feeling of bitterness. Deputations waited on the Governor asking for redress, and the newspapers were flooded with letters from indignant correspondents wanting to know what the Police and the Government were doing. Among these angry critics was Pherozeshah, who, the day after the riots had commenced, had gone out and seen things for himself in company with his friends Mr. Jamsetji Tata and

Mr. C. M. Cursetji, and who in a letter to *The Bombay Gazette*, on the 14th February, narrated his experiences and strongly condemned the police for their indifference and inaction :—

“ On returning last night from Surat, I was loath to believe the accounts that were brought me of the riots, and debited a good deal to the score of frightened exaggeration. At any rate I gave full credence to the assurances contained in the reports of your contemporaries that the Police were now on the alert and had been successful in restoring tranquillity. Desirous of ascertaining, however, with my own eyes the true state of matters, and finding all sorts of rumours rife in the town about fresh disturbances, I drove out in a buggy with a couple of friends about half-past four in the afternoon. Passing through Khetwady, we found considerable agitation among the Parsees there, and on inquiring, learnt that from five to six hundred rioters had rushed in there five or six times, with the view of sacking a fire-temple (agiary) there, and that though they had been repulsed till then, fresh attacks were expected. Somewhat incredulous, we drove on towards Null Bazaar, where our doubts were but too quickly dissipated. We had not

advanced about twenty yards, before our buggy was surrounded by the rioters shouting and yelling at us, as if the very sight of a Parsee was a sort of red rag to them, and we were assailed with a perfect storm of missiles, amongst which stones and broken bricks were the most conspicuous. Trying to push on as if unmindful of this somewhat warm reception, we had not proceeded a few yards more, before the greeting became so hot that we were compelled to bring out a gun and two revolvers which we had taken care to provide ourselves with before starting. The effect was electric ; like the veriest dastards that they really were, the very sight of the fire-arms sent them flying in all directions, clearly proving to us that only a bold front and a firm hand were required to quell this beggarly rabble and scum of the Mohamedan population. But as we could not always stay there presenting arms, we moved on, and at us the fellows were again, sometimes varying the hooting with hisses and substituting softer rubbish for bricks and bats. A sowar and a few policemen then rushed up to the spot, to whom one of my friends with considerable daring got down to point out some of the rioters, but with no better suc-



cess than eliciting almost ludicrous expressions of helplessness. At length a European constable rode up and plainly declared to us that the police were utterly unable to protect us. As it was impossible to return the same way, we had to push on for Bhendy Bazaar, which was like falling from the pot into the frying pan. The whole place literally swarmed with these riotous beggars, and as we passed the Musjid there at a slow pace—for we were unable to move faster—the scoundrels were perfectly furious at us. I wonder what the Governor thought of it all, he had passed along the same road only half an hour before us. I dare say that as none but Parsees are molested, His Excellency had some suspicion in his mind whether it was not some popular demonstration in his favour, and whether the whole Mussalman population had not turned out to prove to him how the British Government was respected and feared. But in right earnest, Sir, it is a disgrace to the Police and the Government, that with the resources at their command, they should have allowed the very seat of Government, the metropolitan town of the Presidency, to be made the scene of such lawless turbulence day after day. Instead of shilly-shallying as they

are doing, why is not the military ordered out to patrol and clear the streets of the rabble without delay or hesitation? The head of the police has shown himself utterly incapable of coping with the emergency in spite of his so much vaunted personal daring and noble horsemanship which may make a good soldier, but certainly not commander."

By the time the young men reached home in the evening, a rumour had got abroad that they had been mixed up in a fight, and had been badly hurt. Their safe arrival was, therefore, a matter of considerable relief to their anxious families. That night, Pherozeshah, still thirsting for adventure, sauntered out again with some friends to see how things were going at the Fire Temple at Khetwady, where there was a fairly large Parsi population. He carried his gun with him, but before it was called upon to do any service, a European police constable took it away from him. It was restored a day or two after.

The affair was not regarded as a quarrel between two communities, which they might be left to settle among themselves. The leaders of other communities, notably Mr. Narayen Wasudeo and Dr. Blaney, made strenuous efforts to bring about a reconciliation. The riots were ultimately quelled,

when Sir Philip Wodehouse's Government awoke from their slumbers, and the military was called out. But the Parsis were greatly incensed against the Governor, who, in reply to a deputation which waited on him, had told them that the conduct of the community had been injudicious and unconciliatory, and had advised it to make its peace with the Mohamedans, and to learn the lesson of defending itself without dependence on the authorities. The callousness of the Police had been even greater. There was a general desire, therefore, to give public expression to the outraged feelings of the community. A petition to the Secretary of State, the Marquis of Salisbury, was accordingly prepared, protesting against the conduct of the Government and the Police, and was adopted at a largely-attended meeting held on the 12th April. In seconding the resolution for its adoption, Pherozeshah made a telling little speech, in which he laid emphasis on the fact that though small in numbers, the Parsis had a great name and traditions to maintain, and were among the most loyal subjects of the Crown. The warmth with which his remarks were greeted showed the growing popularity of the speaker, and the impression he was creating on the public mind.

The petition to the Secretary of State was an elaborate document, and was accompanied by photographs of the houses and fire-temples

destroyed or injured by the fanatical Mohamedan mobs. The usual inquiry followed, and after some time a veil was quietly thrown over the whole affair. But the Bombay Government emerged from the incident with their credit completely shattered. Their amazing incompetence in handling the situation was the subject of comment all over India, and was severely criticized by even the English newspapers, in and outside the Presidency. It is refreshing to think that there were times when the bogey of 'prestige' did not altogether succeed in stifling honest criticism by men who belonged to the same race as those whose actions were called into question.

## II.

There was not much to arrest attention in the political life of the country during the early Seventies. The brief but beneficent administration of Lord Mayo came to a tragic close amidst universal sorrow. During his time, a scheme of financial decentralization was inaugurated, which has been pronounced by Sir Henry Maine to be "much the most successful administrative reform which had taken place in India in his time." Lord Northbrook, who succeeded Lord Mayo, was a firm and liberal-minded ruler, whose administration was

chiefly distinguished for the wise manner in which he conserved the resources of the country, always regarding himself in a special degree as the custodian of Indian interests. He left a peaceful and contented India, hardly conscious as yet of her lofty destiny, and seized with only a vague yearning for political liberty. The voice of the politician did not resound through the land. Such agitation as existed was confined to occasional outbursts against some high-handed act or policy. The Bombay Association, of which the guiding spirits were Sir Munguldas Nathoobhoy and Mr. Naoroji Furdunji, after a gallant struggle went out of existence. The local branch of the East India Association languished for a time, and came to an end a few years later. In Bengal, the Indian Association had still to come into existence, and platform oratory had not yet become a fine art in the homeland of the eloquent Bengali.

Spasmodic as were the political activities of the time, Pherozeshah found occasional scope for the exercise and development of his remarkable powers. Though his activities hitherto had won general recognition of his talents, he had not yet made his mark in public affairs. People knew him mainly as a gifted speaker and a promising lawyer, who was quickly rising to eminence. Opportunities for distinction were soon to come to him, however, and one such was presented when

the Volunteer movement was started in 1877. It was the time of the Russian scare, and the Government deemed it necessary to strengthen the military resources of the country by the formation of a volunteer corps from amongst the European section of the population. A meeting in support of the movement was held in the Town Hall on 30th June, 1877. The Governor, Sir Richard Temple, had come down from Poona to preside, and a large and distinguished audience, representative of all communities, was present, drawn partly by public interest in the project, and partly by rumours of an organized opposition against a movement of such an exclusive character.

After the resolution for the formation of a European volunteer corps had been duly moved and seconded in speeches which breathed patriotic fervour, the President asked whether any gentleman desired to address the meeting. Thereupon, Pherozeshah rose, and made a speech, as happy in expression as it was vigorous and manly in tone. It affords evidence of the courage and uncompromising independence which were his distinguishing traits even at that early age. He said he had no desire to oppose the movement in any way, but he protested most emphatically against the procedure which had been adopted, by which a proposal of an exclusive character had

been placed for approval before a meeting to which representatives of all communities had been invited.

“If the European inhabitants of this town had convinced themselves of the necessity and desirability of forming a volunteer corps among themselves, it was certainly open to them to have called a meeting of their own people, and to have taken such steps as they might think fit to carry out their project. But I must admit that it seems to me extraordinary conduct on the part of the promoters of this meeting to try to do this in the presence of all the inhabitants of the town. It seems to me, and though I say it with regret and diffidence I think I should say it boldly, that the native inhabitants of this town, when a proposition of this sort is laid before a public meeting of the inhabitants, are called to attend simply, if I may be allowed to say so, to assist at passing a vote of want of confidence in themselves. A proposition of this kind to a public meeting of the inhabitants of Bombay is simply asking the native classes to assist at their own execution.”

Pherozeshah ended by moving an amendment that it was not advisable to resolve on the formation of a volunteer corps composed exclusively of

Europeans, in a public meeting of the citizens of Bombay. Mr. Telang seconded the amendment, and observed with much force that he expected that, after the compliment which had been paid by His Excellency to the loyal and peace-loving character of the inhabitants, some reason would have been assigned for excluding 'natives' from the corps. Mr. James Maclean thereupon said that 'natives' had been admitted to the meeting entirely as a matter of courtesy, and that their conduct showed great want of taste, knowing as they did it was a purely European movement. Pherozeshah undeterred by these criticisms insisted on his amendment being put to the vote, but when His Excellency pointed out, amidst cheers from one section and hisses from another, that it was a matter of great doubt whether according to the rules and practice of the Government a 'native' volunteer corps could be formed, and that, if the audience thought it could be formed, it was open for it to hold another meeting and send up a representation to that effect, the amendment was withdrawn. Sir Raymond West poured oil on troubled waters by saying that the aspirations of Pherozeshah were those of the patriot and the philosopher, and though the latter's remarks were a little out of place, the speaker trusted the time would come for their realization.



The meeting was a very lively one, which was not surprising, as the vague rumours of organized opposition which had been afloat in the City had rendered the atmosphere somewhat electric. While there was a disposition in some quarters to condemn the demonstration, *The Times of India* in its comments took a view of the proceedings, which did it credit. It declared that it was greatly to the honour of the Parsis and the Hindus that once their protest had been recognised, they forbore further to trouble the meeting, which they could easily have done, as they formed two-thirds of the audience, and might have negatived one resolution after another if they had been so minded. It was a great pity that one or two of the speakers had chosen to misunderstand the nature of the amendment, which had been so temporarily moved and seconded by Mr. Pherozechah as representing the Parsi community, and Mr. Telang as representing the Hindus.

The question of raising a defensive military force from amongst the people has been before the Government and the country for nearly half a century, and even the world-struggle from which the empire has lately emerged has not brought it much nearer solution. When British statesmen have finally made up their minds, whether they want India, which they think has been won by the sword, to be always held by the sword, or by just

laws and self-governing institutions, we shall probably see a territorial army raised, which will be a tower of strength to the empire, and a bulwark against aggression from without. Then, indeed, might the empire stand “four square to all the winds that blow,” and with serene confidence face, if need be, a whole world in arms.

## CHAPTER VII.

THE ADMINISTRATION OF LORD LYTTON—A

“PUBLIC” MEMORIAL—MEMORABLE

MUNICIPAL DEBATES.

1877-1880.

As has been observed, there was little of active political life during the period which immediately preceded the administration of Lord Lytton. The spirit of reaction which animated the policy of that Viceroy roused to activity forces which were so long slumbering. A series of unpopular measures, resulting in widespread discontent, gave strength to the feeble currents of nationalism, and created a public opinion which gained in vigour and volume as injustice was heaped upon injustice. It was the beginning of a political consciousness which found organized expression a few years later under the impetus of an event which convulsed all India.

One of the earliest and most discreditable measures of Lord Lytton's viceroyalty was the Vernacular Press Act, which aroused a controversy and occasioned an outburst of feeling, which have seldom been excelled in bitterness in the eventful history of the last forty years. The

interest and importance of the subject demand a somewhat lengthy treatment. The measure was initiated by a telegram, dated the 13th March, 1878, from the Viceroy to the Marquis of Salisbury, the then Secretary of State for India. Among other things it stated that "the increasing seditious violence of the Native Press, now directly provocative to rebellion," brought out the necessity of early and stringent legislation. The Viceroy proposed to introduce the Bill at once, as otherwise it would be hung up for a year, for the Government were leaving Calcutta on the 18th March, and did not think it desirable to legislate on such a matter at Simla. The provisions of the Bill were outlined in the telegram, and the sanction of the Secretary of State was immediately requested, as the measure was to be passed "at a single sitting on the plea of urgency, which is not fictitious." How far such breathless haste was necessary, may be judged from the fact that the matter had been under the consideration of the Government for nearly two years.

Lord Salisbury wired his consent on the 14th March, the Bill was introduced into the Legislative Council *the very same day*, and passed into law within a couple of hours. As Sir Erskine Perry remarked in an able minute of dissent, which is recorded in the proceedings of the India Council, "a retrograde and ill-conceived measure, injurious

to the future progress of India, and inconsistent with all our past policy, is to be allowed to remain permanently on the statute book, because at a moment of supposed urgency, when no consideration of the subject was possible, the assent of the Secretary of State was, as I may say, extorted by telegraph."

Apart, however, from the very questionable methods employed to rush the Bill through—methods, which on Lord Lytton's own admission were adopted in order to burke discussion—the Act was utterly uncalled for, unduly repressive in character, and inspired by sinister motives. It was a Draconian piece of legislation, based for the most part on the Irish Coercion Act of 1870, and in some respects more stringent than the latter, which was a special measure brought into existence to deal with a special emergency. It armed the Government with powers to demand security from newspaper proprietors not to publish articles likely to excite disaffection, to forfeit such deposits and to seize the plant, etc., of the paper after warning. There was also a clause providing that a newspaper could take itself out of the operations of the Act by submitting to a regular censorship. To quote Sir Erskine Perry again, "no imperial legislator could forge a more powerful weapon for extirpating an obnoxious Press."

Perhaps the worst feature of the Act was that it exempted from its operation all English newspapers, though in many cases they were the greater sinners. As Mr. (afterwards Sir) Arthur Hobhouse, one of the most distinguished lawyers of the time, observed, it was Englishmen who said the worst things of Government, and said them most continually ; and he condemned the distinction as "class legislation of the most striking and invidious description, at variance with the whole tenor of our policy, and only to be justified by the most cogent proofs of danger from the maltreated class."

That there was no justification for such a measure requires little demonstration. According to the mover of the Bill himself, the writings complained of and produced by way of justification, did not represent the sentiments entertained by the people generally, and there is no doubt "there was a good deal of mere froth and vapour in these foolish and mischievous articles." The Governor of Madras, the Duke of Buckingham, put this aspect of the case very clearly in his notable minute of dissent, in which he stated that while some of the extracts savoured of disaffection, there were many which in no way exceeded the limits of criticism by a free Press, though they stated unpalatable truths in strong language.

The Vernacular Press Act, or the 'Black Act,' as it was dubbed by the redoubtable Maclean, must be regarded as one of the most mischievous and odious measures ever introduced into this country. It created a storm of indignation, and vehement cries for its repeal went up from every quarter. The Government of Lord Lytton, very wisely for themselves, had given the public no opportunity of expressing an opinion on the Bill before it was rushed through the Council, and this preposterous procedure, adopted with the declared intention of burking discussion, had been sanctioned by such a responsible statesman as Lord Salisbury. But if the framers of the measure were spared public criticism during the short period it was on the anvil, the fact of its being a *fait accompli*, did not prevent the growth of a vigorous political agitation, which practically continued till the obnoxious legislation was wiped off the statute book.

Among the criticisms which stand out from the mass of literature that has gathered round the subject, is a letter written by Pherozeshah to *The Times of India*, less than a week after the Act was passed. It was a skilful and powerful assault on the Government position with regard to the measure. The writer boldly asserted that the Vernacular Press had been guilty of no disloyal hostility to British rule. The worst that could be

said of it was that on occasions it was guilty of angry recriminations, exaggerated generalizations and vulgar personalities. But such effusions conveyed no treasonable ideas to a 'native' reading them with his natural knowledge of native modes of thought and expression. It must be admitted, that this bold and somewhat sweeping statement of the position could not be justified by the facts, which showed the undoubtedly seditious character of some at least of the writings complained of.

Dealing with the dangers inherent in the vesting of such wide powers in the hands of the servants of the Crown, Pherozeshah observed that it was at all times difficult to draw the line between severe, though just, criticism of Government and its measures, and the licentious abuse of them, bordering on the preaching of sedition and the propagation of disaffection. If the judges of the distinction were to be the very men who were the objects of the criticism, they would be more than human if in course of time and by gradual stages all hostile criticism was not brought within the pale of the proscription. If the Vernacular Press was licentious and scurrilous, Pherozeshah went on to say, the system of licensing would but aggravate and intensify its mischievous tendency, and annihilate nothing but honest and useful criticism, particularly in the case of a Press in its infancy :—



“ Moderate and respectable men, their functions not yet hardened into habits, would retire from the field without hardly a struggle. Violent and unprincipled agitators would thrive on the persecution which would furnish the very nourishment necessary for their existence. And while thus the sound and healthy political growth of the people would be indefinitely retarded, the Government would be deprived of all trustworthy sources of keeping itself well informed of the real inner feelings and thoughts of the people towards it. Deprived of free and sincere criticism, it would hardly know to steer its way through servile adulation or scurrilous abuse.”

Sound as these observations are, they have a peculiar force when applied to the circumstances of a foreign Government alien in spirit to the people over whom it rules. Such an administration is surrounded by peculiar difficulties, and its measures and policy are in a special degree liable to be misinterpreted and vilified. To win the confidence of those whom it governs, it must court the fullest publicity for its acts and intentions. As Sir Erskine Perry remarked in his exceedingly able minute of dissent, “ignorant as we are, and necessarily must be, of much that is seething in the native mind, of suffering that our most carefully devised institutions may cause, of grievances never uttered

to official ears, an unshackled Native Press with all its shortcomings and all its imperfections, is the only vehicle for affording the information so indispensable to good Government."

It remains only to note the circumstances under which the Act was repealed, at a time when Mr. Gladstone was in power at home, and India was under the administration of the most popular of all Viceroys, the noble Lord Ripon. Early in 1881, the Marquis of Hartington, the then Secretary of State for India, sent a despatch to the Government of India, asking them to consider the desirability of repealing the Act. In a few short paragraphs, the despatch most effectively disposed of all the specious arguments which the advocates of the measure had put forward. It declared in unequivocal terms that no case had been made out for the enactment in question, that it had provoked strong feelings of discontent and resentment, and that there was nothing to show that it had resulted in any increased security to Government or other compensating advantages. The Secretary of State was further of opinion that if it was thought necessary, the Penal Code might be amended so as to deal more effectively with seditious writings. The Viceroy wrote back, concurring in the conclusions which Lord Hartington had arrived at, but postponing for some time the consideration of the question of the repeal of the measure, until the Local

Governments had been consulted as to the desirability of altering the provisions of the Penal Code. Shortly after this the Act was repealed, having enjoyed an inglorious existence of three years, during which time it sowed broadcast the seeds of racial bitterness, which were to reap such a plentiful harvest in the years to come.

The year after the Vernacular Press Act was passed saw the enactment of another unpopular measure, and on this occasion the "poet viceroy" found himself in opposition not only to the general public but to even his own council, with the exception of the Finance Minister. In the early part of 1879, the import duties on cotton goods were abolished, and a large revenue was sacrificed in the sacred name of Free Trade.

The import duty on goods stood at 10% in 1860, and by gradual reductions had been brought down in 1875 to 5%. About that time, strong pressure was brought to bear upon Lord Northbrook by the ministry at home to do away with the impost. "Lord Northbrook stoutly refused to yield to this pressure. Though himself a strong free trader, he argued with unanswerable force that the duty was levied not for protection, but for revenue purposes, that its abolition would involve the imposition of other taxation in a form very distasteful to the Indian people, and that it was politically most unwise to have the appearance of sacrificing the

interests of India to those of Manchester. He won the day." But the cotton manufacturers of Lancashire continued to be bitterly opposed to the duty as affording a protection to the industry in India, and as hampering the development of their trade, in consequence. Their continuous agitation resulted in the passing in 1877 of a resolution by the House of Commons, which stated that "the duties now levied upon cotton manufactures imported into India, being protective in their nature, are contrary to sound commercial policy, and ought to be repealed without delay so soon as the financial condition of India will permit." The first step was taken the following year, when Sir John Strachey outlined the policy of Government, and followed it up by a remission of the duties on various articles, including the coarser descriptions of manufactured cotton goods. The next year a further inroad was made upon the Indian Treasury, and all cotton goods except those manufactured from finer counts of 30s and upwards, were freed from the impost against which Lancashire had so long been clamouring.

As mentioned above, this step was taken by Lord Lytton in opposition to the majority of his Council, whom not all the sophistries about Free Trade could win over to his side. This was done under a power reserved by law to the Governor-General to act on his own opinion alone, "when-

ever the safety, tranquillity or interests of the British possessions in India may in his judgment be essentially affected." Lord Lytton's use of the prerogative on such an occasion was criticized in Parliament by Sir George Campbell, who characterized it as an evasion of constitutional restraints, and a dangerous advance in the direction of personal Government. It aroused bitter opposition in India, all the more bitter, because of the feeling which was general that the interests of India had been sacrificed without compunction in obedience to the clamour of the wealthy and powerful Lancashire interest. And all the while, the champions of the measure talked of justice and equity, and invoked the principles of Free Trade to their assistance. As *The Times of India* in its scathing exposure of this hypocrisy remarked, the action of the Viceroy was indefensible on any sound grounds, but what made it still more unpalatable were expressions of regard for Indian interests and well-rounded sentences upon political economy.

The Indian public rated these hypocritical professions at their proper value, and indignant protests were heard in all parts of the country. A large and influential meeting was held in Bombay on the 3rd May, 1879, in the Framji Cowasji Institute—the use of the Town Hall having been refused—at which a petition to be submitted to the House of Commons was adopted. The hollowness of the

arguments for repealing the duties was forcibly demonstrated by various speakers, particularly by Mr. Morarji Goculdas, a Bhatia merchant of considerable ability and enterprise, and Mr. Telang, who made out a damaging case against the Government. In the organization of this demonstration, Pherozeshah took a leading part in company with Mr. Nanabhoy Byramji Jeejeebhoy and Mr. Telang. From the correspondence of that period, it appears that the three had to encounter apathy on the part of a few, and obstruction on the part of others. These were successfully overcome, and the demonstration was a complete success. The petition was read at the meeting by Pherozeshah. It appears very probable it was drafted by him, though there is no positive proof of that fact. The document was ably drawn up. It pointed out that the duty existed for the purposes of revenue, that the objection to its being of a protective character had been removed when the duty on coarser goods was abolished the year previous, and that a further remission at a time of debt, deficit, war and famine was utterly indefensible and in contravention of the resolution of the House of Commons referred to above.

A committee was appointed for making the necessary arrangements for forwarding the memorial to Mr. Fawcett, the indefatigable "member for India," for submission to the House of Com-

mons, and Pherozechah and his two friends were appointed honorary secretaries. There was a slight dispute in the committee as to who should sign the letter to Mr. Fawcett requesting him to submit the petition to Parliament, and to bring on the subject for discussion in the House. Pherozechah, always a stickler for such things, insisted on the letter being sent over the signatures of the secretaries, and his view ultimately prevailed. Needless to state, the House of Commons turned a deaf ear, for it had only a month previous accorded its approval to Lord Lytton's action as the furtherance of a policy to which Her Majesty's Government had been pledged. Thus did British statesmen discharge their "sacred trust," and thus were £200,000 of India's revenue shamelessly bartered away "to win over the Lancashire votes for party purposes at home."

## II.

The reactionary régime of Lord Lytton was brought to a close in April, 1880, with the change of ministry at home. His viceroyalty had proved disastrous to the best interests of the country, and raised forces of sullen discontent. About the same time the administration of his chief lieutenant, Sir Richard Temple, came to an abrupt termination in Bombay. That restless administrator was seized

with parliamentary ambitions, and with characteristic energy left the country within five days of his hearing that a general election was impending. Sir Richard Temple received the honours which are as a rule accorded to a retiring Governor. A meeting was held in the Town Hall at which the Chief Justice presided, and speakers and audience gave free play to their imagination in order to draw a satisfactory picture of their hero. There was a minority, however, which held different views about the administration of the retiring Governor. Pherozeshah, now rapidly coming to the fore, was one of the most determined among the dissentients. While many of his friends who disapproved of the movement were content with keeping aloof, he had made up his mind to offer active opposition to the idea of a public memorial. He went to the meeting accordingly, in order to record his protest, if necessary, but on being assured that it was a gathering of friends and admirers, he walked away. There was no help for it, as a senior counsel whose opinion had been taken, had advised that no protest could be made at a meeting of such a character.

This little comedy of public life would have been quickly forgotten had not the over-zealous partisans of the Governor attempted to misrepresent the character of the demonstration they had got up. Pherozeshah thereupon wrote to *The*



*Bombay Gazette* a strong letter condemning the manœuvre. He began by protesting against the Town Hall meeting being regarded as a mark of approval set on the late administration by the citizens of Bombay, and pointed out that the requisition to the Sheriff was so worded as to make it a gathering of friends and admirers, and that if a contrary intention had been openly expressed, the proposal to erect a memorial to Sir Richard Temple would have encountered a very strong opposition. He objected to the movement all the more strongly, because it would help Sir Richard Temple's candidature for Parliament by being used as a mark of confidence of the people of the Bombay Presidency. These preliminary observations were followed by a vigorous criticism of Sir Richard Temple's administration, the attack being particularly directed against his attempt to transform the University into a department of Government. At the close of his slashing review, Pherozeshah observed that all the energy and enthusiasm of Sir Richard Temple's admirers were quite impotent to point to one single act of high statesmanship which could be fitly commemorated by the erection of a statue. On the contrary, his support of Lord Lytton in connection with the Vernacular Press Act, the repeal of the Cotton Import Duties and the License Tax were a testimony to his rule. In Pherozeshah's

opinion the gravest of all charges that could be levelled against the late Governor was that he found Bombay a free and independent Presidency, and left it a servile appendage of the Government of India.

*The Bombay Gazette* wrote a long leader upon this letter in the course of which it remarked :—

“ The canonisation of the greatest saint in the calendar was never considered complete and satisfactory until the devil’s advocate had said everything to his detriment which imagination or industry could supply, and there is no reason why statesmen and administrators should be exempted from an ordeal to which even those in the odour of sanctity had to submit. Our correspondent addresses himself to his self-imposed task with great gusto, and he finds plenty of materials to his hand to pelt the reputation of the man, whom all Bombay was delighted to honour.”

Referring to the charge of servility to the Government of India, the *Gazette* observed that Pherozeshah seemed to have been asleep for some years, and was unaware of the great and fruitful change which had been wrought in Bombay since stiff officialism and cold routine stifled or rendered unavailing all life and all free opinion in Western India. It wound up

a very trenchant criticism of the letter by saying :—

“ It may be that Mr. Pherozechah and the handful of dissidents who share his views have some microphone of their own by which they can detect sounds of disapproval which do not reach the ordinary ear. But plain men who judge by what they hear and see, must be excused for coming to the conclusion that the late Governor was in the opinion of all classes of the community—barring of course a few honest eccentrics—a man who deserved well of the City and the Presidency of Bombay.”

Forty years have elapsed since Sir Richard Temple retired from the country, and we have all the materials for an impartial judgment on his administration. Viewed in the calm light of reason at this distance of time, it must be pronounced a brilliant failure. Though we may not be able to agree with the harsh judgment formed by Pherozechah and some of his friends, it may safely be said that the verdict of history does not endorse the eulogies which were pronounced on Sir Richard Temple's régime by his friends and admirers, who have erected the memorial to him on the Esplanade in Bombay. So far as Pherozechah's part in the episode is concerned, one may well admire the courage and independence with which he gave

expression to views which were at variance with those held by a large number of his fellow-citizens, including many of his political associates. Such fearlessness and independence of judgment were rare indeed in those days, though they may fail to excite admiration in these giddy times, when we find scores of puny men running away with the idea that they can attain to the stature of heroes by a display of aggressiveness and violence of language.

### III.

After his memorable fight over the Crawford administration, Pherozeshah took little part in municipal affairs. His practice took him very often to the mofussil, where his acute intellect, ready wit and powers of cross-examination made him particularly sought after in criminal cases. He figured, therefore, but seldom in the debates which took place in the early years of the reformed Corporation. When he spoke, however, he did so with characteristic vigour and independence.

One such occasion arose at the time of the election of Mr. Dossabhoy Framji to the chair of the Corporation. In view of the approaching visit of the late King-Emperor, then Prince of Wales, the office was invested with special importance. After the candidate had been duly proposed,

Mr. Maclean rose and indulged in an outburst of racial prejudice and arrogance typical of him. He thought the time had not come when any Indian could preside with advantage over such an assembly as the Corporation. An Indian could not perform the duties of chairman with the vigour and impartiality that would be displayed by a European. Besides, as Bombay owed its prosperity in a great measure to the English mercantile community, the honour of welcoming the Prince of Wales to an essentially English city should be conferred upon one who belonged to that race.

This outburst distinctly enlivened the proceedings, and evoked vigorous protests from all sides. The reply which Pherozeshah gave was dignified and to the point. He hoped the Corporation would never depart from the policy of looking straight at what was just and proper and best for the interests of that body, discarding all distinction of caste, colour or creed. As members of the Corporation, they were bound to see only to merit and qualifications in making their appointments, and when they found them combined in European gentlemen, they were only too anxious and ready to recognize them ; and the speaker doubted not that when they were found centred in Indians, Englishmen would never fall behind in recognizing them freely, generously and ungrudgingly.

On another occasion, when the Corporation was

inclined to overlook an encroachment on the Victoria Gardens, Pherozeshah was uncompromising, and found himself in opposition to the majority of the members. It was a case in which religious susceptibilities were involved, but Pherozeshah took his stand on the rights of the Corporation, and expressed himself with a freedom resented by many of his colleagues. Except for such occasional interpositions in the debates, it does not appear he took any very prominent part in municipal affairs during the infancy of the new Corporation.

In the early Eighties, however, some memorable debates which took place in the civic chamber drew the eyes of everyone upon the young member, who at once came to be recognized as a force to be reckoned with in local politics. The first of these arose in connection with the contract for the Malabar Hill Reservoir. Mr. Walton, the Executive Engineer, had allowed the contractor for the work to use stone extracted from municipal property on the Hill. This was done without the consent of the authorities concerned, and its effect was to benefit the contractor at the expense of the Municipality. It was a very questionable procedure, and the propriety of Mr. Walton's conduct was hotly discussed in the Corporation. The members were generally agreed that it deserved a severe censure, but some of them would not be satisfied

with a mere expression of condemnation. Among these was Pherozechah, who would have nothing else but the dismissal of the officer responsible for such a grave dereliction of duty. He gave a notice of motion accordingly, urging Mr. Walton's removal from the post, and a special general meeting of the Corporation was called on the 25th March, 1880, to consider the subject. His speech in support of the proposition was the longest ever delivered in the civic chamber, and the facts and arguments by which it was supported were marshalled with a skill, vigour and lucidity which had never been surpassed. Even those who differed most strongly from him were constrained to recognize the ability with which what they called the case for the prosecution had been presented. The discussion which followed was remarkable for the heat and passions it evoked, and the mover of the proposition was subjected, particularly by the European members of the Corporation, to violent and bitter attacks, to all of which he was more than equal. The Corporation at present is not particularly distinguished for the dignity and earnestness of its deliberations, and many lively encounters have recently been witnessed in its stately Hall. While the members cannot exactly pride themselves on such performances, it is some consolation to think that there have been precedents enough for such scenes in the past, when

the civic chamber was adorned by a far abler body of men than is to be found in it at the present day.

Party spirit ran high for days, and the eyes of all Bombay were turned to the Corporation. It seemed to be a question in which the man in the street felt particularly interested. Not for a decade had such an issue presented itself, and the storm within the civic chamber was reflected in the atmosphere outside. After a prolonged debate lasting over half a dozen sittings, enlivened by numberless interruptions, objections and points of order, the proposition was thrown out by a single vote, and an amendment amounting merely to a vote of censure, which was moved by Captain Morland, was carried. The defeat of the motion did not detract, however, from the greatness of Pherozeshah's performance, which was recognized even by those who found themselves completely at variance with him.

Equally strong was the attitude adopted by Pherozeshah towards a question which arose out of the application of the C. D. Act to Bombay. That ill-starred Act, designed to check the frightful ravages of venereal disease, had been tried for nearly two years in the city, and had been withdrawn in 1872 as it was found to be a failure. Four years later, an official report giving an alarming picture of the spread of the disease was forwarded to the Corpora-



tion, which imperfectly realizing the weight and strength of the case against legislation of this kind as a preventive of disease, saw no objection to the re-introduction of the Act into Bombay. But it guarded itself against any pecuniary liability by distinctly declaring that it was not in a position to supply any portion of the requisite funds. Thereupon, the Government of Sir Philip Wodehouse decided to drop the matter.

In 1880, Sir Richard Temple took up the question anew, and the Corporation was again approached for a contribution of Rs. 15,000, amounting to half the cost of working the Act in Bombay. A very interesting debate took place, and the principles underlying the measure were discussed with considerable ability by various speakers, who dealt exhaustively with the moral and physical aspects of the question of state regulation of prostitution. Dr. Cook was the strongest supporter of the Government proposal, and in a long speech condemned the attitude of his opponents in uncompromising terms. Among other things he remarked that it was a mendacious statement to make that the public recognition of the evil by the state was degrading to the moral tone of society, for in India prostitution in its varied phases was "a recognized institution, recognized alike by custom and still worse by religion." It was not to be expected that such a remark would be allowed to pass unchallenged,

and in his speech, which was an elaborate reply to all the arguments advanced by the supporters of the Act, Pherozeshah did not fail to deal with the allegation, though not as severely as one would expect. According to him, Dr. Cook's statement showed "the remarkable want of scientific accuracy with which Europeans in this country observe the phenomena of native social life. It was a pity—he did not cast it as a reproach—but it was a well-known fact that with all their good wishes and all their good intentions, unsympathetic Englishmen were unable to understand the real nature and character of the various phenomena which were seen round them." This was a pet argument of Pherozeshah, and he employed it whenever he found that some generalisation had been indulged in by any one on the strength of a superficial acquaintance with the habits of life and thought of the people of this country. It cannot be denied that in the instance in question the rebuke was well deserved, and Dr. Cook achieved nothing more than raise a little "breeze" by advancing an argument which was as absurd as it was offensive.

The result of a protracted and acrimonious discussion was that by a large majority the Corporation declined to share the cost of working the Act, but expressed its willingness to contribute Rs. 15,000 annually "for hospital accommodation

for the relief of disease," whenever the funds of the Municipality permitted it. The sequel is interesting, as it provides an instructive commentary on the relations between the Government and the Corporation at that period. The former chose to interpret the resolution as a positive engagement to contribute Rs. 15,000, and accordingly proposed to deduct the sum from the outstanding balance of the Government contribution in respect of police charges due to the Corporation for the year. The Corporation flatly declined to agree to such a course, whereupon the Government forcibly withheld the sum. An appeal to the Government of India against this arbitrary procedure having failed, Pherozechah moved that a representation be made to the Secretary of State. He urged with much force that the mode adopted for the purpose of forcing the Corporation to make a contribution was inconsistent with the independence of that body:—

“They were told that they were a body possessing certain rights of self-government in the interests of the city. This did not mean that they were allowed to govern themselves only when their views were in accordance with the wishes of another body. It was clear that self-government meant government according to the convictions and best intelligence of the body possessing it.”

He urged, in conclusion, that as it was a question affecting the constitution under which they worked, it ought not to be allowed to stand where it was. A committee was thereupon appointed to draft a memorial, with Pherozeshah as one of its members. The representation drafted by the committee was approved in June, 1881, and a vote of thanks was passed, special mention being made of Pherozeshah and Dr. Blaney. The decision of the Secretary of State, Lord Hartington, was in the nature of a complete victory for the Corporation. The Bombay Government were told that their action was impolitic, unfair and in violation of a distinct understanding, and that they should withdraw the order appealed against, and refund to the Corporation the sums withheld under it. This decision was directed to be communicated to the body concerned, which, however, was not done. The Government of Bombay also demurred to the mandate of the Secretary of State on the question of refund. Lord Kimberley, before whom the matter came up in 1883, while adhering to the view of his predecessor as regards the impropriety of the proceedings of the Bombay Government, decided that such a strong measure as compelling a refund was not called for. But on the main point he upheld the objection of the Corporation, and the latter had the satisfaction of feeling that it had

succeeded in upholding its dignity and asserting its independence, thanks to the efforts of the stalwarts within its ranks, particularly of the young member, who had so rapidly risen to the front rank by his independence and unrivalled powers of debate, and by his courageous advocacy of the rights and privileges of a self-governing body.

## CHAPTER VIII.

### THE ILBERT BILL.

1883.

WITH the advent of Lord Ripon, a vast change came over the spirit of the administration. The misguided and reactionary policy of Lord Lytton had quickened the political consciousness of the people. The task to which his successor set his hands was to guide the movement along healthy channels, and to recognize the potent forces that were at work, rousing India from her age-long slumber, and giving strength and reality to the vague yearnings for freedom which were troubling her soul. The seeds sown by the great English statesmen, who threw open to her the vast treasures of Western learning, were rapidly beginning to bear fruit, and the universities were fast turning out men saturated with ideals of progress and liberty to which the country had hitherto been a stranger. The day predicted by Macaulay and others was dawning, when the people of India were ceasing to be satisfied with the blessings of law, order and good government, and were longing for the breath of freedom. The unifying influence of Eng-

lish education was manifesting itself, and common aims, ideals and grievances were gradually bringing together the educated men of all communities. From the Press and the platform the new spirit was vigorously being fostered, and on every hand were visible the signs of a general awakening. The forces which were at work, however, were scattered, lacked cohesion and strength, and required a powerful stimulus to weld them together. It came from a strange quarter and in an unsuspected manner, and the Ilbert Bill became the innocent instrument of an explosion which shook the country from one end to the other.

The history of that memorable measure, which aimed, in a not important particular, at removing an anomaly, is interesting. The criminal law of the land, as it stood in 1882, was that no magistrate—unless he happened to be a Presidency Magistrate—who was not a European British subject, could inquire into or try any charge against a European British subject. The result was that no Indian judge or magistrate, however high his position, had any right to try even “the humblest European loafer in the mofussil,” while his English subordinate enjoyed full jurisdiction. As far back as 1872, when the Criminal Procedure Code was being amended, an attempt had been made to remove the anomaly, but it had been defeated in the Imperial Legislative Council by a majority

of seven to five, the minority, it is remarkable to note, including the Viceroy, the Commander-in-Chief, the Lieutenant-Governor of Bengal and Sir Richard Temple.

When the Code was being revised in 1882, Mr. Behari Lal Gupta of the Bengal Civil Service wrote to Sir Ashley Eden, the then head of the administration, pointing out the absurdity of the law. As officiating Presidency Magistrate in Calcutta, he had enjoyed full powers over European British subjects. When he was promoted to a more responsible position in the interior, he found himself unable to deal with the most trivial cases affecting Europeans. Sir Ashley Eden forwarded the letter to the Government of India, supporting Mr. Gupta's contentions, but it was too late to incorporate them in the Bill of 1882, which had already passed through the first stage. The Government of India, however, invited the opinions of the Local Governments, and there being an overwhelming consensus of opinion among them in favour of the change, a separate Bill was introduced by Mr. (afterwards Sir) Courtney Ilbert in 1883, embodying the changes suggested. It proposed to invest Indian District Magistrates and Sessions Judges with the right to try European British subjects, and empowered Local Governments in their discretion to extend the powers to other officials belonging to certain specified classes.



The Bill was at once the signal for a tremendous outburst of feeling in the "Anglo-Indian" community from whom all over the country Lord Ripon's Government was flooded with indignant protests. Meetings were held throughout India, at which violent speeches, which would probably be regarded as high treason at the present day, were made, in which both the Government and the people were abused in a manner that was perfectly outrageous. The meeting in the Town Hall at Calcutta particularly distinguished itself by the violence of its criticisms of the Bill. It hissed, groaned and yelled at every mention of the Viceroy and Mr. Ilbert. One of the principal speakers, Mr. Branson, a well-known lawyer, who achieved an unenviable notoriety in the controversy over the measure, so conducted himself on the occasion, as to call for a rebuke from a correspondent who signed himself "an Englishman," who had the courage to enter a public protest against such utterances, whereupon the speaker felt constrained to offer a general apology to those whom he had so recklessly abused.

There were other demonstrations besides this notorious meeting of the anger with which the English population received Lord Ripon's attempt to establish an equality before the law of all classes of His Majesty's subjects. The Viceroy was insulted and hooted at various public gatherings,

and his state-arrival in Calcutta was made the occasion of a demonstration on the part of the English and the Eurasian community, which was peculiarly disgraceful. In the words of an eyewitness, "as the Viceregal carriage neared the point where the mob had congregated, the Viceroy was about to bow, but seeing the hostile attitude of the crowd, he refrained from doing so. No man of the crowd removed his hat, whilst hisses, groans, cat-cries, shrieks of 'Take off your hat,' and other demonstrations of public feeling created a hubbub perfectly disgraceful." The volunteers threatened to lay down their arms, and at a prize-distribution in connection with their corps, they received the Viceroy with studied coldness. Government House functions were tabooed by the English community generally, and at the St. Andrew's dinner the toast of the Viceroy "was received in silence and not drunk, only about twenty people remaining standing. A feeble attempt to get up a hiss was made, but promptly suppressed."

There were various other edifying exhibitions of the temper of an Imperial race. A Cambridge graduate distinguished himself by ostentatiously declining to join a dinner at which Mr. Ilbert was to take the chair, an attitude which bears a curious family resemblance to that taken up by an exalted individual, who recently suggested that no English-

man should consent to sit down at the same table with Mr. Montagu. A gathering of tea-planters hooted the Viceroy at a railway station, as he was returning from Darjeeling, and it was with difficulty that Lord Beresford, who was on the staff as an A. D. C., was restrained from jumping into their midst to avenge the insult. How completely the English community had lost its head may be further evidenced by the story—which was widely believed at the time—of a conspiracy formed by a number of hot bloods in Calcutta “who bound themselves, in the event of Government adhering to the proposed legislation, to overpower the sentries at Government House, put the Viceroy on board a steamer at Chandpal Ghat, and deport him to England round the Cape.” This extraordinary plot may well appear incredible, but according to Sir Henry Cotton, the facts were understood to have been within the knowledge of the Lieutenant-Governor and the Commissioner of Police. In another quarter, the planters were reported to have sworn that they would not accept the Bill if it became law, but “would deal in their own way with the first native magistrate who presumed to try a European.”

Such were some of the striking manifestations of anger and opposition against the Bill. Alone among the important centres of thought and activity, Bombay kept her head and established

for herself a reputation for sobriety of thought and feeling, which have so long been the distinguishing characteristics of public life in this city. Englishmen as well as Indians urged their respective points of view with refreshing vigour, but with an absence of bitterness and violence, which was in pleasant contrast to the ebullitions of feeling in other parts of the country. This was in part due to the character of the relations which have always existed in this city between members of the various communities, and in part to the personality of the leaders of thought among Englishmen and Indians. As evidence of this, it may be mentioned that at a meeting of the Bombay Chamber of Commerce called to protest against the Bill, an amendment was moved by Mr. Nanabhoy Byramji Jeejeebhoy, which sought to declare that the Chamber had no concern with a political measure, which was outside the scope of its functions. The speaker and his two friends who supported him were given a quiet hearing, and after they had been replied to, the amendment was put to the vote and was lost. The proceedings throughout were of a most orderly character, and conducted with dignity on both sides.

The same moderation and regard for the decencies of public life characterized the great meeting of the citizens of Bombay held in the Town Hall on the 28th April, 1883, under the chairmanship of

Sir Jamsetjee Jejeebhoy. The Hall was crowded to overflowing, and the leading representatives of the various communities were present in large numbers. They met under a sense of grave responsibility, for, as Mr. Dadabhai Naoroji wrote to Pherozeshah on the day of the meeting, the eye of all India was on them. The country anxiously awaited the lead which the Bombay leaders would give it, and it was, therefore, necessary for them to conduct themselves with restraint and dignity.

The principal resolution was moved by Mr. Budrudin Tyabji in an able and eloquent speech. It declared that in the opinion of the meeting the Bill was necessary for the just and impartial administration of justice, and was in consonance with the righteous policy which the British Government had followed in the administration of this country. The proposition was seconded by Pherozeshah, who, on rising to speak, was greeted with loud and prolonged cheering. In his speech he confined himself mainly to a discussion of the general aspect of the question. After referring briefly to the interest which Indians had in the passing of the measure, and pointing out that the privilege of which the Europeans talked was simply an immunity enjoyed by them from the consequences of a large class of offences committed by them, he went on to deal with the causes which underlay the extraordinary outburst of feeling

occasioned by what was after all a very modest attempt to remedy an anomalous position. In the opinion of Pherozeshah, the attitude of the Europeans on this question almost seemed to justify the striking language in which Mr. Bright once defined the position taken up by certain 'Anglo-Indians', which was that "having won India by breaking all the Ten Commandments, it was too late now to think of maintaining it on the principles of the sermon on the mount." The policy of governing India on principles of justice and equality for all the Queen's subjects of whatever caste and creed had never been so openly and so furiously called in question. It was, therefore, necessary to examine carefully the foundations upon which British power in India rested, and upon which its stability primarily depended. The conclusion, Pherozeshah went on to argue, which would force itself upon all thinking minds would be, that India never had been and never would be held by the sword, and that the policy of righteousness adopted by the wisest amongst English statesmen was not only a policy of justice, but also of enlightened self-interest :—

“ When in the inscrutable dispensations of Providence, India was assigned to the care of England, one can almost imagine that the choice was offered to her as to Israel of old : ‘ Behold, I have set before

you this day a blessing and a curse : a blessing if ye will obey the commandments of the Lord your God which I have commanded this day ; a curse if ye will not obey the commandments of the Lord your God, but turn aside out of the way which I have commanded this day to go after other Gods which ye have not known.' England has chosen wisely and well, she has discarded the temptations held forth by the passion of selfishness, prejudice and vain glory, she has chosen to follow ' the Eternal that maketh for righteousness.' She has deliberately declared by the mouths of her greatest and most trusted statesmen, she has proclaimed it through the lips of Her Gracious Majesty herself, that India is to be governed on the principles of justice, equality and righteousness without distinctions of colour, caste & creed."

It was, Pherozeshah continued, on the basis of this declared policy of the Crown that the measure must be discussed, and viewed from that point the case for the Bill was simply irresistible. He went on to show that there was not the slightest cause for alarm on the part of Englishmen, and that when all the bitter party feeling had subsided, they themselves would smile at all the wonderful things they had said and done. The speaker concluded by

drawing an amusing picture, much appreciated by the audience, of Mr. Branson and Mr. Lal Mohun Ghosh—the two great protagonists of the English and the Indian point of view on the question—rushing into each other's arms the moment they met after the storm had subsided and Calcutta had resumed her normal aspect.

The speech with its vigour and dignity of tone and its humorous references was precisely the sort of utterance which was required in a situation calculated to sweep men off their feet. The occasion rendered it the most notable performance of Pherozeshah on a public platform, and first brought him prominently to the notice of his countrymen in other parts of India. Amidst the overwhelming mass of speech and writing which the Bill evoked, Pherozeshah's weighty exposition of the principles underlying it, and spirited criticism of the opponents of the measure, arrested widespread attention, and the speaker emerged as a force to be reckoned with in the political development of the country.

The proceedings came to an end with the adoption of an elaborate and closely-reasoned memorial which made out a very strong case for the Bill. It was a remarkable meeting in every way, and it had a great effect on moderate opinion throughout the country. *The Times of India* in speaking of it remarked :—



“The meeting was sufficiently numerous to be considered a representative one, and at least two or three of the speakers displayed a knowledge of the English language, in its more subtle aspects, which is gratifying to those of us who believe that there is a great intellectual future before the leading Indian races. Indeed, three of the orators on the occasion, Messrs. Telang, Budrudin and Mehta, showed themselves to possess as great a mastery of our somewhat difficult idioms as Cicero ever did of the Greek, an accomplishment on which the famous Roman orator rather prided himself.”

In its report of the meeting, the same journal referred to Pherozezshah's able performance, and observed that “with the aid of incisive argument, assisted by scriptural texts, which he quoted with all the gusto of an itinerant Methodist preacher, he made out a fair case in support of his view of the matter.” It would be interesting to notice also what a critic of a different complexion had to say about the speech. In a series of letters to *The Englishman*, which attracted considerable attention at the time, a writer, who styled himself “Britannicus,” and whose identity was no secret, at least in Calcutta, poured out day after day and week after week the most violent and offensive trash that ever was penned. This superior individual

noticed at great length the proceedings of the Bombay meeting, and delivered himself of some very elegant sentiments about the organizers of the demonstration, forming an apt commentary on the frame of mind of those whose cause he was championing to their obvious satisfaction. For Pherozeshah's performance, he had the same sneering contempt as he showed to the others, though he was less offensive in tone :—

“ This Parsee Barrister has a talent for talking nonsense, and he talked it to his heart's content, and, if one may judge from the cheers, to the content of his audience also.”

Further on, referring to Pherozeshah's analysis of the basic principles of British rule, which this acute critic by some logic construed into a threat, he remarked :—

“ It also shows not only that we must hold India by the sword, but that we must encourage as many loyal men as possible capable of using the sword to settle in the country, if we wish to hold India successfully against enemies who are not to be despised. In order to effect this desirable object, the only safe policy for Government to pursue is to encourage as many Britons as possible to settle in the country by throwing open the services to them, by fostering instead of

hampering tea, indigo and other European industries, and by refraining from degrading Englishmen by subjecting them to the criminal jurisdiction of conquered and emasculated races."

We must now turn away from this sordid story of the passions and animosities roused by an ill-starred measure which a noble-minded Viceroy sought to introduce in his anxiety to redeem in some manner the oft-repeated pledges of his sovereign. How his efforts were in a large measure frustrated may be briefly told. After the first introduction of the Bill, the opinions of Local Governments and officials were invited. It was found that they were greatly divided, and the Government of India decided to make a concession to the strength of racial prejudice and the clamour of a noisy agitation by dropping from the Bill all provisions conferring jurisdiction on Magistrates other than District Magistrates and Sessions Judges. The scope of the proposed enactment was thus greatly curtailed, and as it stood now it affected in practice the jurisdiction of only half a dozen Indians.

The amended proposals were approved by the Secretary of State in Council, and announced by the Viceroy at a meeting of the Legislative Council on 7th December, 1883. English opinion, however, was not satisfied by the concessions made, and threats

of an explosion of race feeling were held out as freely as before. It appeared as if the opponents of the measure would be satisfied with nothing less than its absolute abandonment. This the Government was not prepared to agree to, and the agitation continued in its violence. At this stage, the Honourable Mr. Evans of Calcutta on behalf of the Opposition made certain proposals for a compromise, which, though they were not accepted, opened the way for negotiations, which ultimately led to a settlement, or Concordat, as it was dubbed. This was in effect the adoption of a recommendation made by the Government of Bombay some months before, that European British subjects when tried before District Magistrates and Sessions Judges should have the right of being tried by a jury composed of a majority of their own countrymen. Thus was recognition at length accorded to the contention that an Englishman had a right to be tried by his peers, a theory in support of which the Magna Charta and various other solemn documents had been freely trotted out by the critics of the Bill.

The Concordat was received by the Indian community with considerable disappointment. Preparations had been going on for some time for strengthening the hands of the Viceroy by public meetings and memorials, as it was felt that some of his colleagues were inclined to surrender the

principle of the Bill. But before anything could be done, the settlement was announced. The "Anglo-Indian" press hailed it as a triumph; the Indian public regarded it generally as in the nature of a capitulation. A section of Bengali opinion showed itself particularly hostile to the compromise, and things looked ugly. The statesmanlike attitude adopted by most of the Indian leaders at this critical juncture ultimately saved the situation. They realized that the violent and unscrupulous agitation of their opponents had succeeded in substantially whittling down the scope of the Bill; yet they recognised that something had been gained, and above all they were grateful to the man who had sought to give them equal laws and rights, and to strengthen their faith in the essential justice of British rule. Guided by these considerations, the majority of Indian leaders decided to uphold the Viceroy in the action he had taken.

When the Concordat was announced, the late Mr. Mun Mohun Ghosh, one of the most eminent of public men whom Bengal has produced, wired to Pherozeshah, Mandlik and other Bombay leaders :—

"Concordat made under extraordinary pressure. Disapproved strongly, but if we assume hostile attitude, Viceroy surely resigns and Liberals are damaged. Think consequences and telegraph advice."

Mr. Mandlik consulted a few friends—Pheroze-shah was away at Matheran, where he had built a fine house for himself—and wired back urging Calcutta leaders to support Lord Ripon in any course he deemed proper to follow. The attitude of the Bombay leaders decided the issue, and Anglo-India was deprived of the pleasure of seeing the Viceroy driven out of office by the very people whose cause he had espoused.

While there was a substantial agreement, however, as to the necessity of supporting the Government, opinions were divided on a subsidiary issue. Several of the leaders were in favour of the extension of the system of trial by jury to Indians, since the privilege had been conceded to European British subjects. In a letter, characterized by his usual sagacity and independence of outlook, which Pherozeshah wrote to *The Bombay Gazette* on the subject of the Concordat, he discountenanced this view altogether. He was inclined to consider the settlement as a grievous political blunder, for he regarded the concession of trial by jury an objectionable feature. “In the mofussil,” he remarked, “where race feeling, as the recent agitation itself has helped us to discover, overrides furiously all sense of justice and right feeling, such a trial by jury would be in many cases a monstrous farce.” He was, therefore, opposed to the extension of the privilege to Indians, on the broad ground of its

being a mischievous and retrograde step calculated to affect the proper administration of criminal justice in the country. It was no use purchasing equality of rights at such a cost. Far more important was it to devise measures for guarding against unjust acquittals of European culprits at the hands of juries of their own countrymen. The remedy proposed by Pherozeshah was that the complainant in such cases should be given the right of appeal to the High Court from a verdict of acquittal by a jury or from an inadequate sentence. The mere existence of such a right would exercise a chastening influence on judge and jury, compelling the one to be careful and deterring the other from being scandalously reckless.

Pherozeshah's letter greatly impressed Professor Wordsworth, among others, and he took the occasion to press again upon Mr. Mandlik the desirability of not asking for the extension of the right of trial by jury to Indians. The paragraph dealing with the point was accordingly dropped from the memorial which the Bombay Branch of the East India Association sent up to the Viceroy. As for the suggestion made by Pherozeshah, it does not seem to have gone further, for the reason that the Government had declared that they would not consider any proposals which would trench upon the settlement arrived at, by which they were resolved to abide.

The Bill in its amended form was passed on the 25th January, 1884, after a stormy career of close upon a year. It is difficult to appreciate at this date the exact reasons for the tremendous explosion of race feeling, which this modest measure, with which the name of Sir Courtney Ilbert will always be honourably associated, evoked throughout the length and breadth of the country. As was observed at the time, "it was not proposed to endow India with parliamentary institutions, or to hand over the Viceroyalty to Sir Madhav Rao. And yet they were in the presence of a state of feeling compared by Calcuttaites themselves to that which prevailed during the Mutiny." The fact was that, as Mr. Blunt remarked in his excellent little book *India under Ripon*, it was merely an accident that the particular ground occupied by the Ilbert Bill should have been chosen on which to fight the battle of race-prejudice. What was really at stake—and this was brought out very clearly by Pherozeshah in his speech at the Town Hall—was the question whether India was to be governed by a system of "benevolent despotism," or by the application to her of those principles which British statesmen had repeatedly declared as the basic principles of British rule. This is apparent from the manner in which the Charter Act of 1833, the Queen's Proclamation of 1858 and other solemn pledges were sought to be



explained away during the discussions on the measure. Lord Ripon never did a greater service to India than when, refuting Sir Fitzjames Stephen and other ingenious interpreters of charters and declarations of policy, he said in a voice thick with emotion :—

“ To me it seems a very serious thing to put forth to the people of India a doctrine which renders worthless the solemn words of their Sovereign, and which converts her gracious promises, which her Indian subjects have cherished for a quarter of a century, into a hollow mockery, as meaningless as the compliments which form the invariable opening of an oriental letter. . . . The doctrine, therefore, to which Sir Fitzjames Stephen has given the sanction of his authority, I feel bound to repudiate to the utmost of my power. It seems to me to be inconsistent with the character of my Sovereign and with the honour of my country, and, if it were once to be received and acted upon by the Government of England, it would do more than anything else could possibly do to strike at the root of our power and to destroy our just influence, because that power and influence rest upon the conviction of our good faith more than upon any other foundation, aye, more than upon the valour

of our soldiers and the reputation of our arms.”

Noble words these, and the people of India would fain have believed they represented, not an isolated opinion, but the settled policy of those who had been set in authority over them. The lessons of the Ilbert Bill agitation had sunk too deep in the minds of Indians, however, and they realized that “the justice of a cause was insufficient for its triumph in politics, and that the only path of victory lay through agitation.”

## CHAPTER IX.

LORD RIPON AND NEW INDIA—CIVIC HONOURS—  
BOMBAY PRESIDENCY ASSOCIATION.

1882-1885.

LORD RIPON's viceroyalty was rendered memorable by other measures of a less controversial but more momentous character than the Ilbert Bill. Among these, the scheme of Local Self-Government which he inaugurated may be regarded as the greatest monument to his sympathy and statesmanship. It was announced by the Government in May, 1882, in a resolution which speaks eloquently of the political sagacity and high purpose which characterized Lord Ripon's outlook on Indian affairs. The policy by which the Government was guided was thus declared in a passage which has lost none of its force by the march of time and events :—

“ At the outset, the Governor-General in Council must explain that in advocating the extension of local self-government, and the adoption of this principle in the management of many branches of local affairs, he

does not suppose that the work will in the first instance be better done than if it remained in the sole hands of the Government district officers. It is not, primarily, with a view to improvement in administration that this measure is put forward and supported. It is chiefly desirable as an instrument of political and popular education. His Excellency in Council has himself no doubt that in course of time, as local knowledge and local interest are brought to bear more freely upon local administration, improved efficiency will in fact follow. But at starting, there will doubtless be many failures, calculated to discourage exaggerated hopes, and even in some cases to cast apparent discredit upon the practice of self-government itself."

The Viceroy was further of opinion that with the advance of education, there was rapidly springing up a class of public-spirited men, whom it was not only bad policy but sheer waste of power to fail to utilize. Intense enthusiasm was aroused throughout the country by this bold announcement of policy, and its translation into practice was eagerly looked for. The Bombay Corporation, like other municipalities, woke up to the necessity of having a more liberal constitution, and an animated discussion took place on the subject in

the civic chamber in January, 1883. Various suggestions were made by the Indian members for investing the Corporation with greater power and responsibility, and for reducing the excessive representation enjoyed by the Government and the Justices. On the other hand, the official section and its supporters were solidly against any sweeping changes in the constitution. Their contentions were neatly answered by Pherozeshah in a speech in which he briefly reviewed the position, and skillfully made out a case for the reduction of official control. He laughed out the fear that an enlargement of the ratepayers' representation would give the numerically largest community a preponderance of seats in the Corporation, and he expressed his firm faith in the efficacy of a system of free electorates. Referring to the vast improvements effected in municipal administration in recent years, he declared that "it was the magic of the elective principle that had effected such a marvellous change." The discussion resulted in the appointment of a small committee, which included Pherozeshah, for suggesting amendments in the Act. The results of their labours and of those of other committees appointed from time to time will be noticed when we come to consider Pherozeshah's share in moulding the Municipal Act of 1888, under which the affairs of the city are administered at the present day.

The popularity of Lord Ripon with all classes of Indians was immense, and it is not surprising that about this time a movement was started for memorializing the Queen-Empress for an extension of the Viceroy's term of office. A largely attended meeting was held in Bombay on the 17th February, 1883, under the auspices of the Bombay Branch of the East India Association, with Mr., afterwards Sir, Dinshaw Petit in the chair. Eloquent tributes were paid to the personality and policy of Lord Ripon by Messrs. Dadabhai Navroji, Naoroji Furdunji, Budrudin Tyabji, Byramji Malabari, Pherozeshah and other speakers. The last named in moving the adoption of the memorial, a somewhat crudely drawn up document, gave reasons for their taking the unusual step of asking for an extension of the Viceroy's term of office. He said that it was "eminently desirable that the same mind which conceived a great measure should be secured to carry it to completion," and that there was no knowing what another Viceroy might or might not do. Lord Lytton's pranks had completely dispelled the illusion that a Viceroy must necessarily be a great, good and large-minded man. There was, Pherozeshah added, another consideration which had reference to the scheme of local self-government, which he regarded as so many admissions that the bureaucracy were "unequal in the long run to the task of paternally administering the affairs

of a people of whose real inner life they have managed to remain profoundly ignorant," and that it was politically expedient that the people of India should be asked to co-operate in the work of governing their country. Both these admissions, according to Pherozeshah, were totally repugnant to the officials, who "alternately frown or smile contemptuously at people who ignorantly imagine that any combination or organization of the inferior natives of the country could possibly come up to, much less excel, their trained and cultured capacities for administration." The success of Lord Ripon's great scheme being largely in the hands of these people, it was, therefore, imperatively necessary that Lord Ripon should continue in office for some time to prevent his policy being obstructed or quietly given up.

Lord Ripon did not continue in office, as everyone wished he would, and left the country actually before his term was over. The fate which overtook his scheme of local self-government need not be discussed. It is a melancholy record of obstruction and hostility on the part of a bureaucracy "armed with impenetrable prejudice," and the miserable progress the country has to show in the direction of local self-government even more than a generation after it was inaugurated is a standing reproach to the system of administration that the British have set up in India.

Before Lord Ripon retired from the country, his chief lieutenant, Sir Evelyn Baring, afterwards Lord Cromer, left India to take up his great work in Egypt, which was destined to change the face of the land. His handling of the finances of the country had been marked by conspicuous ability, and his sympathy had made him popular with all classes of people. Before he retired, he was presented with an address adopted at a public meeting of the European and Indian inhabitants of Bombay, held in the Framji Cowasji Institute on the 27th August, 1883. In moving the adoption of the address, Pherozeshah discoursed in characteristic fashion on a variety of topics, and indulged in pleasant gibes at the omniscience of the "heaven-born service." Referring to the services rendered to the country by the Viceroy and the Finance Minister, he said :—

“ There are people who are struck most powerfully by the material strength of England and measure its greatness thereby. I for one see more cause for wonder and admiration at its being able to produce such men as Lord Ripon and Major Baring. It is impossible not to be amazed at the rare combination of intellectual grasp and wide moral sympathies which have enabled them to seize the essential conditions of unfamiliar Indian problems with a wonderful quick-



ness of perception and sagacity of insight. This is all the more remarkable, when we observe how much the average Anglo-Indian civilian, after his long residence in this country, falls short in this respect."

Major Baring, the speaker continued, was an administrator of a somewhat rare type, altogether different from the so-called friends and fathers of the people, with whom they had become familiar. He had taught them dependence on themselves. At the end of his speech, Pherozeshah paid a graceful compliment to his English fellow-citizens for the support they had given to the scheme of local self-government for the inception of which Major Baring had been not a little responsible. It was a matter of congratulation that "that scheme has secured a kindly reception at the hands of the European mercantile community of Bombay, who, ever since the day of James Forbes, have always maintained excellent relations with the natives among whom they have lived and worked."

The eternal question of the Civil Service regulations demands a brief notice in this review of Lord Ripon's administration. During the time of Lord Northbrook, the then Secretary of State for India, Lord Salisbury had reduced the age-limit for candidates for the Civil Service to 19, against the wishes of the Government of India and the Civil Service Commissioners in England.

The step had been strenuously opposed by public opinion in this country as dealing "a crowning blow at the fair and regular admission of natives to the Civil Service." Time had shown that the fears entertained by the opponents of the measure were thoroughly justified. The chances of Indians entering the Service in large numbers had become more remote than ever. Only a very precocious youth could be expected to succeed at the absurdly early age of 19 in passing a competitive examination for which he had not been prepared from his boyhood. As a matter of fact, out of twenty-eight candidates who within recent years had presented themselves for the examination, only one had been able to get through.

As a consciousness of these difficulties forced itself on the public mind, and as dissatisfaction with the establishment of the Statutory Civil Service began to grow in volume, an agitation was started for securing for Indian candidates more equitable conditions than the rules and regulations in force then provided. It seems the question had also engaged the attention of Lord Ripon's Government, for in April, 1884, Pherozeshah received a letter from the Private Secretary to the Viceroy inviting his opinion on the subject, as the Government were anxious to know the views of leading citizens. In various parts of the country meetings were held and petitions were adopted, asking for

the raising of the age of candidates as the first step towards the establishment of a free and fair test. It was widely felt that the idea was to ultimately shut out Indians altogether from the Service, and this was what Lord Lytton had actually suggested to the Secretary of State in 1878. He thought it "highly objectionable to encourage the Natives to enter into the Service which ostensibly offers them, as legitimate objects of ambition, posts to which it is notoriously impossible to appoint or promote them." He was, therefore, in favour of shutting the door altogether, but as the reduction of the age-limit was sure practically to achieve the same result, he had not pressed the point.

It was against this sinister device to rob Indians of the privilege granted to them by legislative enactment, that public opinion once more raised its voice, stimulated by the Ilbert Bill agitation which had brought the question into prominence. A meeting was held in Bombay on the 2nd September, 1884, at which Mr. Budrudin Tyabji moved that the regulations regarding the admission of candidates to the Service were unsatisfactory, and did not fairly meet the legitimate claims of Indians. In seconding the proposition, Pherozeshah began by attacking the superior critics who had advised Indians to desist from political agitation. He likened their attitude to that of Sir Joseph Bowley—an illustration from Dickens which Pherozeshah

was very fond of pressing into service—"the friend and father of the poor," whom he used to advise to give up thinking for themselves, leaving him to do it for them. The speaker was of opinion that "superior though the English might be in the possession of many good qualities, they still required to a certain extent their guidance even in the shape of political agitation, because in the first place the rulers required to protect themselves from their selfish instincts, and secondly from the ignorance under which they laboured with regard to the people among whom their lot was cast." The establishment of the Statutory Civil Service was one proof of this. In spite of protests from various quarters—in which he (Pherozechah) had joined—the Service had been instituted, and now those in authority themselves came forward to condemn it. As for the question of the reduction of the age-limit, all he would say was that it had taken away from Indians the last chance of getting into the Service by open competition. Even if that disability were removed, there were other difficulties in the way, and therefore, "the only statesmanlike and far-sighted policy, which would satisfy the just aspirations of the natives of India, was contained in that portion of the memorial, which says that the examination should be held in this country under the same tests as in England, at one or more centres, and that the passed

candidates should then be sent to England.” This was the view he had maintained from the very first, and which he continued to press on the attention of the various Commissions on Public Service before whom he was invited to give evidence from time to time.

No account of Lord Ripon’s epoch-making viceroyalty can be complete without a reference to the unparalleled demonstrations which took place in his honour when he retired from the country. The sum total of his achievements in the field of legislation and administration was by no means imposing. But the people of India felt that they had in him a high-minded ruler who had striven under great difficulties to raise them to the dignity and stature of manhood, and whose sympathy and statesmanship had restored their confidence in the essential justice of British rule in India. Righteousness had been the key-note of his policy, which had all along been directed towards translating into practice the solemn promises of equality of rights and opportunities, which the Sovereign and Parliament had given from time to time.

It is not surprising, then, that the people of India gave the departing Viceroy a royal send-off. Bombay surpassed herself on the occasion, and the demonstrations that took place were unequalled for their splendour and enthusiasm. A mass meeting was held in the Town Hall on the 29th Novem-

ber, 1884, with Sir Jamsetjee Jejeebhoy in the chair. The place was packed to overflowing, and a crowd of nearly 15,000 people was collected outside. It filled the steps, blocked the roadway, and overflowed into the Elphinstone Circle Garden. There was a holiday atmosphere everywhere, and the proceedings were most enthusiastic and unconventional. There were eighteen speakers, including such honoured leaders as Dadabhai Naoroji, Mandlik, Tyabji, Telang and Pherozeshah. The speeches were punctuated by frequent applause, and occasionally by bursts of music which came at intervals from various bands stationed outside the place. At one moment, numbers of banners bearing all sorts of mottoes made their appearance in the hall, and caused a lively diversion. The speakers found very appreciative audience, which refused to be affected either by the discomfort of its surroundings or the length of the proceedings.

The first resolution expressed the deep sense of gratitude of the people of Western India to the Viceroy for his eminent services to the country. The proposition was seconded by Pherozeshah in a notable speech. He referred to the hold which Lord Ripon had on the millions of this country. *The Times of India* had suggested that it was, because Indians seemed to recognise Lord Ripon's generous good will towards them as the highest

attribute possible in a Governor-General. "Europeans, however," it added, "demand something sturdier in a statesman officially responsible for the prestige of England and for the welfare and safeguarding of two hundred and fifty millions of people." Pherozeshah exposed the hollowness of this argument by reviewing at some length the trend of British policy in India. He showed that the principles laid down by the great statesmen of the mid-Victorian era had been firmly grasped and deliberately adopted, and in support of that he told a story of Mountstuart Elphinstone related by General Briggs who had served under him :—

"On my observing in a corner of his tent one day a pile of printed Mahratha books, I asked him what they were meant for. 'To educate the natives,' said he, 'but it may be our high road back to Europe.' 'Then,' I replied, 'I wonder you as Governor of Bombay have set it on foot.' He answered, 'we are bound under all circumstances to do our duty by them.'"

This lofty ideal had gradually come to be discarded, and in its place had been set up the fetish of efficiency. In the opinion of Pherozeshah, the vigorous conqueror and statesman was turning into the energetic administrator, and was losing his old cunning in statesmanship. As the phenomena that he was witnessing around him were

causing him uneasiness and perplexity, a new policy had gradually come to be adopted, which had found its culmination during the reactionary régime of Lord Lytton. The situation that had been created in consequence was full of danger, and it was Lord Ripon's lasting glory that he had retrieved it by his sympathy and statesmanship, and had set up British rule on a firmer foundation. If his administrative achievements had not proved startling, and if, as was alleged, he was leaving the country full of "amiable regrets," it was not for those who had obstructed his policy as being revolutionary now to turn round, and cast it as a reproach in his face. Such an attitude, according to Pherozeshah, was the height of inconsistency. It was unjust, besides, to Lord Ripon, who was leaving India with the consciousness that he had done his duty and had earned the good-will of the millions entrusted to his care :—

“ In giving an account of his stewardship to his country and its royal mistress, he can point to them as the surest testimony of how he has discharged himself of the great trust reposed in him, and say that he has left peace where he found war, he has left content where he found uneasiness and alarm, that he has restored the prestige of England—the prestige of its good faith and honour—and that he has left the loyalty of the people



firmly anchored in their confidence and gratitude instead of in fear and force."

In noticing this speech, *The Times of India* attempted to justify what it had stated with regard to Lord Ripon, and repeated that, except for the good-will of a large section of Indians towards him individually, he was leaving the country as he found it. *The Bombay Gazette* was more just to the Viceroy, and full of appreciation of Pheroze-shah's speech :—

" Mr. P. M. Mehta seconded the motion (moved by the Honourable Mr. Budrudin Tyabji) in an address more carefully elaborated, but strikingly effective, his vigorous and practised delivery rendering his points audible at times when the most experienced of public speakers would have been sorely tried. Perhaps his happiest illustration was the repetition of the conversation between Lt.-General Briggs and Mountstuart Elphinstone, whose statue immediately faced Mr. Mehta."

One may expect that Pherozeshah must have experienced some difficulty in eulogizing Lord Ripon, for in one character or another he had to make a number of speeches about the departing Viceroy. As Chairman of the Corporation,—an honour, which as will be presently seen, had come to him at a comparatively early age in recognition

of his notable services—it was his privilege to ask Lord Ripon to lay the foundation-stone of the handsome pile of buildings in which are housed the present municipal offices. In inviting him to perform the ceremony Pherozeshah observed :—

“ My Lord, we do not ask you to perform the ceremony for the purpose of securing the *eclat* of an imposing ceremonial. We ask you, because in this city, which claims with pardonable pride to be the favoured abode of free municipal institutions, we hail you as the apostle, who, with keen and marvellous appreciation, has done more than any other to extend and develop the true principles of local self-government.”\*

Lord Ripon's reply was a graceful tribute to the energy and public spirit which had made the Bombay Municipality a model for all India. He had been struck, he said, by the address which the Corporation of Bombay had presented to him on his arrival, and by the bearing and demeanour of those who had presented it to him. This had led him to inquire into the constitution of that body and the character of the work it was doing. These inquiries had convinced him of the capacity of the people of the country for managing their own local affairs under favourable circumstances. From that conviction there had been born in his mind the

\* 19th December, 1884.

first conception of that policy for the further development and extension of local self-government which his Government had since pursued. His Lordship concluded with the hope that on the foundation-stone laid that day would be raised not merely an imposing building, "but a noble superstructure of good work done, of education extended, of sanitation advanced, of communications improved, of sickness alleviated, which will form a monument more enduring than marble for those who have laboured together for the public good."

The address which had been adopted at the public meeting to which reference has been made, was presented to Lord Ripon, along with scores of others from all parts of the Presidency in the Town Hall on the 18th December, 1884. It was read by Sir Jamsetjee, who headed a deputation consisting of Messrs. Budrudin Tyabji, Dinshaw Petit, Nana. bhai Haridas, Kashinath Telang, Pherozechah and others. Other deputations followed in rapid succession, until on the platform behind Lord Ripon there rose a regular rampart of silver caskets, carved boxes of all sorts, volumes of parchment, rolls of signatures and illuminated addresses on silks and satins. When what seemed an almost interminable procession had come to an end, Lord Ripon rose and addressed the assembly for an hour. At the conclusion of a striking exposition of the

aims of his policy, he gave expression once again to his conception of England's mission in India :—

“ If she is to fulfil the mighty task which God has laid upon her, and to interpret rightly the wondrous story of her Indian empire, she must bend her untiring energies and her iron will to raise in the scale of nations the people entrusted to her care, and to impart to them gradually more and more the richest gifts which she herself enjoys, and to rule them not for her own aggrandizement, nor yet for the mere profit of her own people, but with a constant and unwearied endeavouring to promote their highest good. She is bound to labour, she must labour for their material advantage, but not for that alone ; she must devote herself yet more to their intellectual development, to their political training and to their moral elevation.”

Is there any wonder that the statesman who not only preached, but unceasingly endeavoured to translate into practice such lofty ideals drew to himself the reverential regard and unquestioning loyalty of the millions whom he governed, and was honoured on departure with demonstrations of popular feeling such as even kings might envy ? The demonstrations were so unparalleled and unique, that soon after, there appeared in the columns of

the *Pioneer* a remarkable article headed " If it be true, what does it mean ?" This contribution has since been attributed to the able pen of a distinguished civilian, the late Sir Auckland Colvin, who succeeded Sir Evelyn Baring as Finance Member. His diagnosis of the situation is full of instruction and interest.

India needs more men of the sympathy and insight of Lord Ripon. It was fully a generation before another like him appeared on the scene. But if the worship of a soulless efficiency is no longer to be the key-note of British policy in the East, we shall constantly and increasingly want statesmen, animated by the ideals which will keep the memory of Lord Ripon for ever enshrined in the hearts of a grateful people.

## II.

It was in the fitness of things that the foundation-stone of the new municipal offices, to which reference has been made, should have been laid during the chairmanship of a man who has done more than any other to ensure that the handsome pile of buildings reared thereon should house a civic body famed for its efficiency and public spirit. The Corporation put him in the chair at a comparatively early age in recognition of the notable part he

had played in civic affairs, particularly during the stormy debates on the C. D. Act and the Malabar Hill Reservoir scandal. He had won his spurs in a field held by valiant men and true, who had achieved deserved fame by their prowess. The honour owed nothing to canvassing or wire-pulling; it was a spontaneous and whole-hearted tribute to the ability and public spirit of which Pherozechah had given such ample proofs. The proposition was placed before the Corporation at its meeting of 7th April, 1884, by Mr. Mandlik—himself a distinguished worker in the public cause—who referred to Pherozechah as a colleague of tried ability and experience who was sure to enhance the reputation of the chair. The motion was seconded by Sir Frank Souter, whom he had attacked so slashingly in connection with the Hindu-Mohamedan riots, and supported by Mr. Dosabhoj Framji, who reminded the Corporation of the scheme outlined by Pherozechah during the discussions on the Crawford administration, which had been laughed out at the time, but had found a place in the Act of 1872. The proposition having been unanimously passed, Pherozechah briefly thanked his colleagues for the honour they had done him. One remark which he made must be rescued from the common places which are customary on such occasions. He said that he was firmly persuaded that a citizen of Bombay

could not more usefully or honourably employ such opportunities as he might possess for public life than in taking an active and intelligent interest in its civic administration. How earnestly he acted up to this conviction is a matter of history. Few phases of his brilliant and many-sided career have evoked greater admiration than the enthusiasm with which for more than forty years he devoted his splendid gifts to the administration of local affairs.

There was general approval of the honour done to Pherozechah. *The Bombay Gazette* referred to him as a rising barrister who deserved praise for the abnegation he displayed in making a lucrative practice yield to the demands of a laborious and unpaid office. It observed that the right principle to be adopted in choosing the chairman was that a European and an Indian should fill the chair alternately, but since the choice of the Corporation had fallen upon Mr. P. M. Mehta, it would only say that no member could have been selected who was personally better qualified for the post.

After a year of office, during which Pherozechah won the admiration of everybody by the manner in which he discharged his onerous duties, he was re-elected chairman for another year. On this occasion, as also when his term came to an end, graceful tributes were paid to him by Sir Frank Souter, Sir Jamsetjee Jejeebhoy, Mr. Telang and

others who spoke of the tact, ability and dignity which their colleague had displayed, and which they had confidently expected from him when they had appointed him to the office. *The Times of India* endorsed these compliments when it said that the Corporation never had a better chairman. It was not until twenty years later, when the present King-Emperor was about to visit these shores as Prince of Wales, that the Corporation once again invited their leader to preside over their deliberations and lend dignity to the position, at a time when it was invested with special importance in the eyes of the public.

For Pherozeshah, these were years of a very busy and lucrative practice, which was greatly affected by the demands which the presidential chair always makes on the time and energy of the member who occupies it. In a country where there is no such thing as a leisured class, such work often entails a considerable sacrifice. Pherozeshah cheerfully paid the price, as he had done all through his public career. It is true he was not exactly a man to "scorn delights and live laborious days." He was very fond of the good things of life, and his tastes and habits were inclined towards luxuriousness. He had built for himself a fine house at Nepean Sea Road, used to drive about in a carriage and pair, and affected expensive clothes. As soon as he had earned enough, however, to satisfy his extravagant



tastes, the service of the public claimed him. Very often he was known to forego a handsome fee, merely in order that he might be able to attend some meeting of the Corporation. Had he so chosen, he might have amassed a vast fortune. As it was, he left behind him a modest competence, and a record of service and sacrifice which few among his countrymen have ever equalled.

An incident which threatened to change the whole tenor of Pherozeshah's existence at this period may be mentioned in this place. Towards the end of 1884, the Diwanship of Baroda fell vacant, and Pherozeshah was not unwilling to take it up, offering as it did such a vast scope for his talents and energies. Sir Frank Souter, with whom he was on very friendly terms, interested himself in the matter, and communicated with General Watson, who was Resident at the time. The idea fell through, however, and what might have proved a most interesting chapter in the history of Baroda came to be thus unwritten. What Pherozeshah's brilliant intellect and dominating personality could have achieved in so wide a field is a topic on which it would be idle to speculate. It was fortunate, however, for Bombay and the country generally that the thing did not come to pass, for they could have ill-afforded to lose his services at one of the most critical periods in their history.

## III.

We have seen how the Ilbert Bill agitation and the enlightened policy of Lord Ripon roused into vigorous activity forces which had been driven underground—thanks chiefly to Lord Lytton's Gagging Act—and which had lain more or less dormant all these years. All over the country, the educated classes perceived the necessity and advantages of organized agitation for the redress of political grievances, and the significance of recent events was not lost on them. As one of the first fruits of this general awakening, the Bombay Presidency Association was established in Bombay in January, 1885. The old Bombay Association of which Mr. Naoroji Furdunji had been the life and soul, had practically gone out of existence, and the Bombay Branch of the East India Association, having no independent existence, was unable adequately to voice the popular sentiment and to defend the rights of the people. Attempts had been made to revive these organizations, but they had proved unsuccessful. Changed times require new vehicles of thought, and "with the growth of political life, new aspirations arise, and these aspirations require an organization to give them due expression, and the organization in its turn watches, regulates, develops and directs national aspirations." Thus it was that Bombay

felt the necessity of having an Association which would provide adequate opportunities for the exercise of the talents and energies of her citizens.

The Association was inaugurated at a public meeting held on the 31st January, 1885, at the Framji Cowasji Institute, in response to an invitation issued by the triumvirate which was at this period at the head of all public movements, Tyabji, Telang and Pherozechah. The two first-named were appointed honorary secretaries with Mr. Wacha. There were the usual speeches, and the usual orators, and the new Association was started amidst considerable public enthusiasm, which, though it did not long survive, was never altogether dead.

In his speech on the occasion, Pherozechah quoted with approval from an address which Lord Dufferin had given ten years before to an audience at Quebec, in the course of which His Lordship had stated that no man, especially in a young country, whatever his occupation, was justified in dissociating himself altogether from all contact with political affairs. The speaker endorsed this view, and pleaded for the co-operation of young men in the task of national regeneration. He believed in their capacity, and looked forward to a time when they might produce men like Dadabhai Naoroji. But before such a consummation was achieved, he asked them to devote themselves even at some

sacrifice to the cause of the country. Here a voice from the audience interjected "As you are doing," at which there was general cheering. On the conclusion of the speech, Sir Jamsetjee Jejeebhoy was appointed the first President of the Association, and several Vice-Presidents were elected from among the leading men of every community.

The Association which thus came into being amidst general enthusiasm showed considerable activity in the early years of its existence. By resolutions, memorials, and public meetings, it focussed the general feeling of the community on all matters of common interest. Nothing seemed too trivial for its notice, if it involved a question of principle. It protested repeatedly and vehemently, for instance, against the appointment of Mr. Macleod (as he then was) to the second Judgeship of the Small Causes Court. It did so on principle, little knowing that the youthful and inexperienced lawyer whose appointment it was so stoutly opposing, was destined to occupy the highest position in the judiciary of the Presidency with the general approval of the public and the profession. The interest which the public took in the Association was somewhat lukewarm, however, and its activities were mostly due to the energy and enthusiasm of the three men who controlled its destinies, Pherozeshah, Telang and Tyabji, a fact which gave occasion for the sneer in which Lord Harris

indulged after his retirement, when he spoke of it as "the triumvirate known as the Bombay Presidency Association."

One of the earliest acts of the Association was to organize the carrying on of energetic propaganda work in England. The moment was propitious, for a general election was imminent, Mr. Gladstone having decided to appeal to the country against the House of Commons which had rejected his Home Rule proposals. In view of the growing interest which Parliament was beginning to evince in Indian affairs, and the growth of what might be called an Indian party, it was felt that there was a unique opportunity of educating the English electorate as to the wants of India, and of persuading it to support candidates who had made the cause of India their own. This view had derived strength from a letter which an "English Elector" had written to a Bombay newspaper, in which he had pointed out the nature of the opportunity and made some fruitful suggestions. The Council of the Presidency Association had thereupon decided to take the matter up, and to appeal for co-operation to the other Presidencies.

The response was encouraging, and it was decided to circulate a large number of leaflets in England, dealing with subjects of importance to the well-being of the people of India. Later on, at the instance of the Sarvajanic Sabha of Poona—whose

leading spirit and active worker was Mr. M. G. Ranade—which had collected a considerable sum of money for propaganda work in England, it was arranged that three delegates, representing the three major provinces, should proceed to England to plead for justice at the hands of the British electorate, and to interest it in the problems of India. Mr., afterwards Sir, Narayan Chandavarkar was appointed as the representative of Bombay, the other delegates being Mr. Mun Mohun Ghosh from Bengal, and Ramaswamy Mudaliyar from Madras.

To sanction these proceedings, and to concert other measures for carrying out the objects in view, a meeting of the members of the Bombay Presidency Association was held in September, 1885, at which various speakers pointed out with force the necessity of educating English public opinion. One of them quoted from an article in the *Daily News*, in which the writer had observed :—

“ It is of particular importance that Indian opinion should be ascertained and studied in this country at the present time. For there is a set of pretentious busy bodies, who on the strength of having read a little Indian history, and imbibed a good deal of the worst sort of Anglo-Indian prejudice, are posing as the sole authorities on Indian subjects.”

Among the resolutions adopted was one approv-

ing of the distribution and publication of a general address to the electors of the United Kingdom on behalf of India. Another proposition, moved by Mr. Dadabhai Naoroji, declared that the following candidates on account of their services and their publicly expressed opinions were deserving of the support of the Indian people :—The Marquis of Hartington, Sir J. Phear, Captain Verney, and Messrs. John Bright, J. Slagg, Lal Mohun Ghosh, William Digby, W. S. Blunt, S. Keay, S. Laing and W. C. Plowden. The resolution further repudiated the claims of Sir Richard Temple, Mr. J. M. Maclean, Sir Lewis Pelly, Mr. A. S. Ayrton and Sir Roper Lethbridge to speak on behalf of the people of India. How far the British elector was influenced by these recommendations will be mentioned later on. That, however, was a matter which did not trouble the mover of the proposition, who put his case with characteristic energy and optimism. He was followed by Pherozechah, who made some noteworthy observations on a subject of considerable importance. Differing from Mr. Tyabji, who thought they could appeal successfully to both the great parties in England, and going a little beyond Mr. Naoroji, Pherozechah was strongly in favour of Indian questions being made party questions. He urged that the time had come when they must submit Indian problems to the keen and searching criticism of party warfare. No

doubt, the interests of India would sometimes suffer in the process, but in the end "the intellect and conscience of England would move, as it has always done in the long run, in the path of true progress and beneficent reform." The fallacies and misrepresentations of their opponents would never be effectively exposed till they were examined by the sharp and sifting criticism of party warfare.

It may be said for this point of view that though it did not find general favour at the time, and has often been since condemned in certain quarters, its wisdom generally came to be recognized in later years. As a matter of fact, within a very short time, Mr. Mun Mohun Ghosh had sorrowfully to confess at a meeting of the Association called for the purpose of hearing an account of the mission, that in spite of the advice they had received, the delegates had found it very difficult to keep clear of party politics. They had discovered that it was impossible in a country constituted like England to obtain a hearing on any political question unless one appealed through the medium of one party or another, and that they could only look to the Liberals for redress of the country's wrongs, and to the Liberal constituencies for sending to Parliament men who would be in sympathy with the views of New India.

Indian questions have never become party questions in the strict sense of the term—the alliance of



English Labour with Indian nationalism has not yet been definitely accomplished—but it cannot be disputed that the impetus to reform has, with few exceptions, come from Liberal statesmen. If their party generally could have been induced to take a keener and more intelligent interest in Indian problems and to include them in their programme, our political progress would certainly have been much quicker. But it would be too much to expect the average stay-at-home Englishman to bother his head about questions affecting subject races who are six thousand miles away, particularly when he has placed them in the capable hands of a “Heaven-born Service,” which claims to have made the interests of the dumb millions entirely its own.

The results of these determined efforts of Indian political associations to gain the ear of the British public were distinctly interesting and suggestive. So far as the elections went, the hopes of this country were rudely shattered. The electors generally went to the polls without troubling their heads about India and her champions, with the result that those whose candidature had been recommended by Indian leaders failed to get in, while those whose views on Indian problems had been condemned found themselves successful! From the point of view, however, of interesting the stolid Briton in the affairs of this country, the mission achieved some measure of success. It

distributed a large number of pamphlets on the burning questions of the day, and secured a hearing from some thousands of people in England, who promised a sympathetic consideration of Indian problems in the future. As Pherozeshah observed, if the delegates had not set the Thames on fire, they had certainly kindled a spark in the hearts of the British public which would blaze up into a flame in time to come, if Indian leaders persisted in their efforts and continued to send such missions year after year. This optimism can hardly be said to have been justified by subsequent events, for the ignorance and indifference which the average Englishman has betrayed to this day about the affairs of the great empire across the seas which chance and enterprise have placed in his hands, suggest that his education in these matters is not likely to be brought about by a few articles in the papers or a few speeches on the platform. In the words of an English statesman "it takes an enormous stimulus to move the English. They move onward like a glacier ; a lifetime only makes a change. The inertia of matter is nothing to the inertia of the English mind."

While on this subject, we must note the great loss which India sustained about this time in the death of Professor Fawcett, the "member for India." Afflicted with a blindness caused by an accident, he was able nevertheless to render dis-

tinguished services to the land of his birth, and to that distant country, of whose interests he had constituted himself a champion. "Darkness enwrapped him, yet with steadfast work, He sought unfaltering, the highest light." His death at the comparatively early age of 51 was a truly Imperial loss, and India mourned it in common with the rest of the empire. A public meeting was held in Bombay under the auspices of the Bombay Presidency Association on the 2nd September, 1885, at which Europeans and Indians gathered in large numbers under the chairmanship of Lord Reay, to do honour to the memory of the illustrious statesman and economist. Moving tributes were paid by a number of speakers, and an influential committee was appointed to collect subscriptions for raising a memorial. In his speech on the occasion, greatly admired everywhere, Pherozeshah referred to the touching spectacle of the blind Professor, who had achieved for himself one of the most remarkable positions in the House of Commons, devoting himself as the champion of a country he had never seen, and the steadfast friend of a people with whom he had never come into personal contact, simply because that country needed a champion and those people wanted a friend to represent their interests. The speaker next turned to examine a criticism which had been made, that Mr. Fawcett's exertions on

behalf of India had been barren of results. He remarked :—

“ Those who say so seem to me to fail utterly in recognising the vast influence exercised by the moral forces of sympathy and example. It cannot but be that the people of India would feel a more generous loyalty and attraction towards a nation which can produce such sons and a civilization which can produce such culture. And it cannot but be also, that Professor Fawcett’s own countrymen would be induced to give respectful attention to the views of a man so practical, so sober and so independent, and more and more learn to think with him that a foreign government must not only be pervaded by justice, but must also be tempered by sympathy.”

Very true indeed, but unfortunately for India, few of her British champions have had the ear of their countrymen. It is not often that a Fawcett, or a Bright, or a Bradlaugh has been found raising his powerful voice on behalf of his helpless fellow-subjects in other parts of the empire, and compelling his countrymen to listen. As for those earnest and noble-minded men, the Cottons and the Wedderburns, who have eaten the salt of the country and pleaded for justice to her helpless millions, their critics with lofty disdain have too

often set them down as “disappointed civilians,” or amiable cranks. Theirs would always have been a cry in the wilderness, had not the tremendous upheaval which the world has experienced brought about a new angle of vision among those responsible for the governance of India. Championship of India’s interests is no longer condemned as a crime, or regarded as a dangerous pastime.

## CHAPTER X.

### THE BIRTH OF THE CONGRESS.

1885.

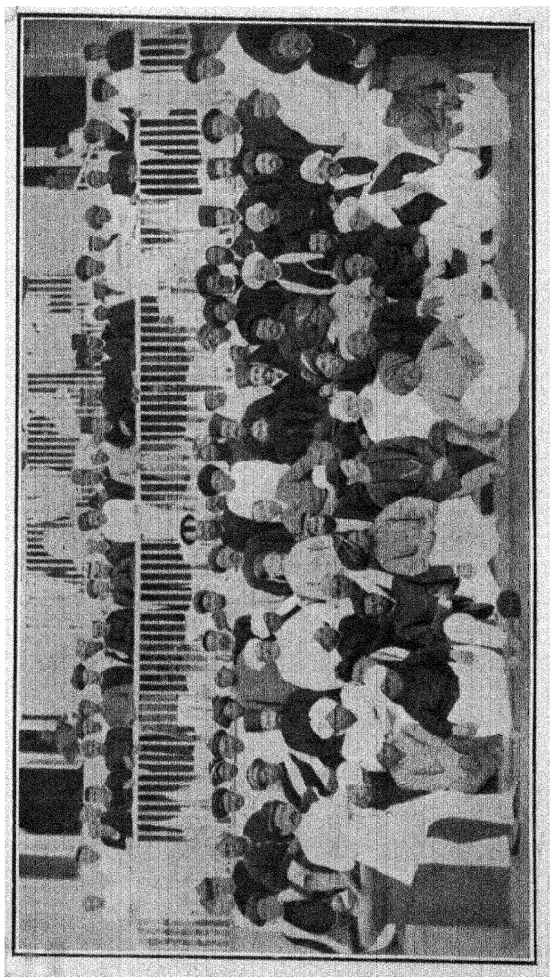
THE activities of Indian reformers at this period found their most practical expression in the establishment of an organization, which for more than thirty years laboured with a success, which its promoters could hardly have dreamt of, to rouse the political consciousness of the people, and to direct and foster the national movement. The Indian National Congress came into being towards the close of 1885, timidly and unobtrusively, but under circumstances which were full of promise for the future.

It was in the time of Lord Lytton that the conviction began to gather ground that some action was needed to counteract the growing forces of reaction, which were threatening the peaceful progress and development of the country. The Vernacular Press Act had greatly agitated the Indian mind ; all over the country sober leaders of thought had since been exchanging views on the situation that had arisen, and laying plans for the future. There was a unanimity of feeling that India could no longer afford to stand at gaze, and that









THE FIRST INDIAN NATIONAL CONGRESS, 1885.



the time had arrived for the organization of a popular movement, which would arrest the reactionary tendencies increasingly manifested in the policy of Government and rouse the consciousness of the people.

With the arrival of Lord Ripon, a considerable improvement in the situation took place, and for some time nothing was done. It was not till 1883 that the first step was taken by Mr. Allan Octavian Hume—whose distinguished career in the Civil Service had just come to an end—in a circular letter, dated the 1st March, 1883, addressed to the graduates of the Calcutta University. It was a stirring appeal to the young men of Bengal to band themselves into a body of earnest workers for the national cause. If only fifty people came forward in the first instance, an organization could be started, which would develop into a national movement in course of time. It may be mentioned in passing, that the lines suggested by Mr. Hume were more or less adopted by Mr. G. K. Gokhale nearly three decades later in his Servants of India Society. The appeal was coupled with a stern warning of the consequences of a lukewarm patriotism :—

“ If you, the picked men, the most highly educated of the nation, cannot, scorning personal ease and selfish objects, make a resolute struggle to secure greater freedom for yourselves and your country, a more impar-

tial administration, a larger share in the administration of your own affairs, then we your friends are wrong and your adversaries right, then are Lord Ripon's noble aspirations for your good fruitless and visionary, then, at present at any rate, all hopes of progress are at an end, and India truly neither lacks nor deserves any better government than she enjoys."

The result of this stirring manifesto was the formation of the Indian National Union towards the end of 1884, which, in conjunction with the Bombay Presidency Association, the Sarvajanik Sabha and other political associations, arranged to hold an All-India Conference in December, 1885, for the purpose of deciding upon a plan of political campaign, and effecting a closer co-operation between the leaders of thought in various parts of the country. Mr. Hume's original idea was to discuss social matters only, as he thought that, otherwise, the recognised public bodies which were doing political work in various centres would suffer in importance. But this view had to be abandoned at an early stage. It was hoped that the Conference would form the germ of an Indian Parliament, which, properly constituted and conducted, would be an effective reply to the assertion that India was unfit for any form of representative institutions.

Previously to this, the three leading Associations

of Calcutta had partly carried out the object in view, and had got together a number of people from the different provinces for exchange of views, and for settling a common programme of action. Pherozechah had been particularly requested to attend this Conference, as the promoters felt that his presence would "add to the weight and importance of its deliberations." He was not able to attend, however, as he was at Matheran, trying to enjoy a holiday which he badly needed, but which was frequently disturbed by communications from Bombay on all manner of subjects, particularly the Ilbert Bill controversy.

To return to the Conference organized by the Indian National Union. The honour of holding it fell to the lot of Poona, and the Sarvajanic Sabha undertook to make all the necessary arrangements at its own cost, constituting itself for the occasion as a sort of Reception Committee. The place selected was the palace of the Peshwas at the foot of the Parvati Hill, relic of a never-to-be-forgotten Past. Before these preliminaries were settled, Mr. Hume, who was the life and soul of the movement, went and saw Lord Dufferin and placed before him his ideas of national regeneration. The Viceroy showed himself very friendly and sympathetic, and it was at his instance that Mr. Hume, who had put social reform in the forefront of his programme, decided, in consultation with his

friends, to give the proposed organization a political character. Lord Dufferin had pointed out the difficulty experienced by Government in ascertaining the real wants and wishes of the people, and had expressed his conviction that it would be very advantageous to have some responsible body through which the best Indian opinion could be gathered. An omniscient bureaucracy had, apparently, not then laid claim to an exclusive acquaintance with the wants and feelings of the masses, nor, it seems, had anyone thought of the mischievous consequences of subordinating social to political reform ! All this was left to latter-day critics, after the Congress began to be troublesome, and ceased to bask in the sunshine of official favour.

The policy of the Conference having been laid down, Mr. Hume proceeded to England to try and secure the movement against misrepresentation and calumny. He saw many prominent men, among them Lord Ripon, Lord Loreburn (then Mr. Robert Reid) and a large number of members of the House of Commons. He received assurances of sympathy from them, as well as from a section of the Liberal Press, which promised to publish messages sent through the agency of the Indian Telegraph Union, which had also been established at about the same time in order to counteract the mischievous activities of Reuter.

When everything was satisfactorily settled, Mr. Hume returned to India in October, and found Poona busy preparing for the great occasion. But it was destined that the historic capital of the Deccan should not have the honour of holding the first Congress in her midst. An outbreak of cholera occurred, and at the eleventh hour the venue had to be changed. Bombay at once came to the rescue, and promptly made the necessary arrangements. The trustees of the Goculdas Tejpal Boarding School at Gowalia Tank, of whom Mr. Telang was one, placed the spacious building at the disposal of the organizers. By the morning of the 27th December, everything was ready for the reception of the 'representatives,' as they were called. The whole of the day, and part of the night too, was spent in mutual introductions and informal discussions. In the evening, a large number of prominent citizens came to welcome the representatives, and to express appreciation of the task to which they had set their hands.

All the arrangements having been completed, on the fateful morning of the 28th December, 1885, seventy-two good men and true, the foremost among India's intellectuals, sat down together to carve out a future for their country. It was a happy circumstance that Bombay should have been chosen as the meeting-place of the first Congress. It was in Bombay that the foundations

of Local Self-Government had been laid, and it was appropriate that Bombay should also be the birth-place of the national movement. The honour of presiding on the occasion went to Mr. W. C. Bonnerji, than whom Bengal has produced no greater and more capable leader. At first, the idea was to ask the Governor of Bombay, Lord Reay, a most sympathetic statesman of liberal ideas, who belonged to the famous group of "Philosophical Radicals," to take the chair, but the matter being referred to Lord Dufferin, he deprecated the suggestion on the ground that it would be undesirable, from more points of view than one, for the head of the province actively to associate himself with what should essentially be a popular movement.

The gathering was small, being confined to the delegates mentioned, and a few visitors, among whom were Sir William Wedderburn, Mr. Justice Jardine, Professor Wordsworth, Colonel Phelps, Mr., afterwards Sir, Ramkrishna Bhandarkar, and Mr. Ranade, then a Judge of the Small Causes Court at Poona. But it was a representative gathering, which included leaders of thought in all parts of the country. In the words of the President, "never had so important and comprehensive an assemblage occurred within historical times on the soil of India." Some there were, like the Grand Old Man of India, who had already passed the prime



of life ; others like Bonnerji, Telang, Subramaniya Iyer, Wacha and Pherozeshah, still young and enthusiastic, and full of visions of a glorious future for the land of their birth. All alike were greatly in earnest, and fired with a noble purpose. Year after year these early stalwarts stood on the Congress platform, unmindful of ridicule and obloquy, and with their faith unimpaired in the justice of their cause, and in its ultimate triumph. Some of them are still happily amongst us ; the rest are gathered to their fathers. Their faith was large in Time, and many of them lived to see the dawn of a brighter day.

The proceedings commenced with the election of the President, moved by Mr. Hume and seconded and supported by Messrs. Subramania Iyer and Telang. Mr. Bonnerji in acknowledging the honour done to him, made a short speech—the portentous orations of later days were then unknown—in which he explained the objects of the movement. Referring to the authority of those who had gathered there to speak on behalf of their countrymen, he said he did not claim that they were representatives of the people in the same sense in which the members of the House of Commons were representatives of the constituencies, “ but if community of sentiments, community of feelings and community of wants enabled anyone to speak on behalf of others,

then assuredly they might justly claim to be the representatives of the people of India." At the end of his speech, Mr. Bonnerji affirmed the loyalty of the Congress to the British connection. Nine resolutions were moved which, among other things, demanded a Royal Commission of inquiry into the working of the Indian administration, the abolition of the India Council, the expansion of the Legislative Councils, the curtailment of military expenditure, and the institution of simultaneous examinations for the Civil Service. Most of these resolutions have become hardy annuals, and need not be noticed here, but it is interesting to note, in the light of present-day events that, in the resolution dealing with the expansion of the Legislative Councils, the suggestion was made " that a Standing Committee of the House of Commons should be constituted to receive and consider any formal protests that may be recorded by majorities of such Councils against the exercise by the Executive of the power, which would be vested in it, of overruling the decisions of such majorities."

Pherozeshah's share in the proceedings of this historic Congress was not inconsiderable. He was entrusted with the seconding of the first proposition, moved by Mr. G. Subramania Iyer, which approved of the promised committee of inquiry into the working of the Indian administration.

Speaking on the resolution, Pherozeshah contended that the body charged with the inquiry should be so constituted that it could be in a position to pursue its investigations in this country itself, taking evidence here, and that Indians should be represented on it. He was of opinion that if the inquiry was not granted in the manner pointed out, it would be almost better to have no inquiry at all. Parliamentary Committees and Royal Commissions were not to be had at short intervals, and it would be disastrous to have a body composed mainly of Englishmen sitting in judgment upon themselves. The conclusions to which such a body would arrive would be superficially plausible, but essentially unsound. They would be accepted as guiding principles for at least another twenty years, and the mischief thus ensuing would be incalculable. These observations seem to have suggested the amendment, which was moved by Mr. Dayaram Jethmal, a representative of Sind, which recommended that the inquiry should be entrusted to a Royal Commission on which the people of India should be represented, and which should take evidence both in England and in India. The amendment was accepted by Pherozeshah, and after an interesting discussion, in which Messrs. Hume, Wacha, Telang, Malabari and Dadabhai Naoroji took part, it was carried unanimously.

Another proposal with which Pherozeshah identified himself was in connection with the annexation of Upper Burma. He asked for leave to introduce the subject, as it did not find a place on the agenda. He said he did not wish to go into the question of the annexation which he considered unwise, unjust and immoral. He only desired to look at the matter from the Indian point of view, and viewing it so, he was of opinion that Burma should be made a Crown Colony, as otherwise, he was afraid she would prove a drag on Indian progress. Lord Dufferin had said that the weakness of the North-West Frontier disabled him from giving as much attention as he liked to home affairs, and Pherozeshah did not want that the North-East Frontier should be added to the list of the Viceroy's distractions. With Ceylon in the South, and Burma in the North-East as Crown Colonies, the speaker thought they could ask with greater strength and reason for more liberal institutions in India than she possessed. These remarks were greeted with so much applause that the President said that he would take that as equivalent to a grant of leave to introduce the motion. Pherozeshah accordingly moved:—

“That this Congress deprecates the annexation of Upper Burma, and considers that if the Government unfortunately decide on annexation, the entire country of

Burma should be separated from the Indian Viceroyalty, and constituted a Crown Colony, as distinct in all matters from the government of this country as Ceylon."

After some discussion, the proposition was carried. At the present moment, while Indian politicians are all crying aloud that Burma should be regarded as an integral part of India, the bureaucracy is jealously seeking to guard the province from contamination with the currents of Indian political life. Such are the changes which the whirligig of Time brings about.

The resolution on Burma practically finished the business of the session. At the close, resounding cheers were given for the Queen-Empress and for Mr. Hume, to whose tremendous energy, driving force and burning love for the land in which he had spent the best years of his life, were due in a great measure the inception and success of the first National Congress of the people of India. Small as it was in numbers, it was thoroughly representative in character, and its voice might be regarded as the expression of the sober and better mind of the country. The resolutions which were carried at its session were generally adopted at meetings held all over the country.

The proceedings of the Congress evoked widespread interest, and were noticed at some length

in *The Times*, whose Bombay correspondent wrote a sympathetic account of the movement. Commenting upon it, the 'Thunderer' could not resist the temptation of indulging in sentiments which are the usual stock-in-trade of the reactionary. After referring to the manner in which Bombay had substantiated her claim to be the first city in India by being the gathering place of the first national assembly, it went on to give a qualified approval to some of the resolutions, and an unqualified disapproval to others. After detailing the latter, the journal remarked :—

“ The first question which this series of resolutions will suggest is whether India is ripe for the transformation which they involve. If this can be answered in the affirmative, the days of English rule are numbered. If India can govern itself, our stay in the country is no longer called for. All we have to do is to preside over the construction of the new system and then leave it to work. The lawyers and schoolmasters and newspaper editors will step into the vacant place and will conduct affairs with no help from us. Those who know India best will be the first to recognize the absurd impracticability of such a change. The educated classes may find fault with their exclusion from full political rights. Politi-

cal privileges they can obtain in the degree in which they prove themselves deserving of them. But it was by force that India was won, and it is by force that India must be governed, in whatever hands the government of the country may be vested. If we were to withdraw, it would be in favour not of the most fluent tongue, or of the most ready pen, but the strongest arm and the sharpest sword."

The Congress, like many other organizations with a like origin, outlived all misrepresentations and misconceptions about its aims and activities. It weathered many a storm, and triumphed over its most determined enemies. Speaking for an ever-increasing number of people, it voiced, upto within recent times, the sentiments and aspirations of all who love an ordered and progressive development of the country. To-day, unhappily, it speaks not with the voice of a nation but with that of a party. Most of those ardent reformers who assisted at its birth and gave it of their best for nearly a generation, have withdrawn from its councils, leaving the field largely to impatient and impossible politicians. Is it too much to hope that the saner elements in the public life of the country will some day be able to reassert themselves, and restore to the Congress its character of an organization speaking for the vast majority of educated and patriotic

Indians ? Or, as appears more probable, is the steady growth of parliamentary institutions going to spell the gradual extinction of a body brought into existence as an unofficial parliament of the people, and no longer needed under a system of responsible government ? Whatever may happen, the Indian National Congress will live in our history as the most powerful instrument of national regeneration that this country has ever known.



## CHAPTER XI.

### THE MUNICIPAL ACT OF 1888.

1887-1888.

IN an earlier part of this work, the violent controversy which raged in the Seventies over the question of reforms in the municipal administration of Bombay, has been dealt with at some length. We have seen how courageously Pherozezshah stood up in defence of a régime discredited on almost all hands, and how sagaciously he pointed out the defects in the system and the right remedy for them. Ridiculed and abused, as most men who are ahead of their times are, he had ultimately the satisfaction of seeing the broad lines of the constitution he had chalked out adopted in the Municipal Act of 1872. Under that measure, worked by some of the best minds in the City, its administration had made remarkable progress in every direction. With the lapse of time, however, the necessity for a more uniform and progressive enactment was felt, and ever since the publication of Lord Ripon's memorable resolution on local self-government, the Corporation had made various representations to Government from time to time, in the drawing up of which Pherozezshah had taken a leading part.

After various schemes had been discussed and rejected, including a draft Bill providing for a system of executive committees, which was referred to the Corporation for criticism, and which that body condemned as a reversion to an unsound principle, Government introduced the long-looked for Bill in the Legislative Council on the 16th July, 1887. It was the result of the joint labours of Mr. Naylor, the Legal Remembrancer, and Mr. (afterwards Sir) Charles Ollivant, the Municipal Commissioner, who, during his temporary absence in England in 1883, had been deputed by the Corporation to study the systems of municipal government in existence in Great Britain. In the Council, the only Indian of outstanding merit, before the Bill was introduced, was Mr. Telang, and to strengthen the popular element on that body, and to secure the requisite knowledge and experience of civic affairs, the Government of Lord Reay had the wisdom to appoint Pherozeshah as an "additional" member. The appointment was received on all sides with cordial approval. *The Bombay Gazette* spoke of it as "a very appropriate recognition of ability shown in many fields," and particularly referred to Pherozeshah's moderation and independence. *The Indian Spectator*, conducted by the late Mr. B. M. Malabari, one of the most remarkable figures in the public life of India, was equally appreciative.

“ In Mr. P. M. Mehta, the Bombay Government secures for its Legislative Council a worthy man. His talents, breadth of views, and public spirit make him one of the very best native members the Bombay Council has had.”

Right well did Pherozeshah justify the confidence reposed in him by the Press and the public. The Bill in the shape in which it was introduced was in many respects of a retrograde character. It sought to enlarge the authority of the Commissioner at the expense of the Corporation, and it reserved to Government powers of initiative and interference in various matters, which ought rightly to fall within the province of a local body. Strangely enough, the men responsible for this illiberal measure were not reactionaries in any sense. At the head of the administration was a Governor who had come with the reputation of a man of wide culture and sympathies. The official sponsor of the Bill, Mr. Naylor, was a just and fair-minded civilian, open to conviction, and without the prejudices of his caste. And yet, the measure, evolved after years of consideration and criticism, lacked the essentials of a satisfactory scheme of local self-government. The fact was that the original frame-work was that of Mr. Ollivant, who could not entirely divest himself of the point of view of the class to which he belonged, and in the Bill submitted to the Council, the

principal features of his scheme had been retained. It is not the first instance by any means of a bureaucracy, even with the best of intentions in the world, looking at a question from an altogether different point of view from that in which it is regarded by the people, and failing miserably in its conception of the needs of the situation. Mr. Naylor honestly claimed for the Bill, that it was designed "to secure to the citizens of Bombay the greatest possible efficiency in municipal service with the most complete possible control over expenditure." Mr. Telang, on the other hand, pronounced it to be "a retrograde measure, so retrograde, indeed, that if on voting I had to make my choice merely between this Bill and the old law, I should unhesitatingly give my voice in favour of the law as it at present exists, with all its anomalies, its laxities of phraseology and its conflicts of jurisdiction."

Such was the character of the Bill when it was referred to a Select Committee, consisting of Sir Maxwell Melville, a member of the Executive Council and once a distinguished Judge of the High Court, the Advocate-General, Mr. Macpherson, and Messrs. Telang, Pherozeshah and Kazi Shahabudin. The Committee conducted its deliberations on the cool heights of Mahableshwar, where the official mind is said to derive a strength and elasticity which are supposed to be impossible in the burning plains. Evidently, Pherozeshah was not in a hurry

to enjoy the privilege of deliberating on affairs of state on the hill-top, for late in October we find a telegram from the Secretary to the Legislative Council, informing him that the meetings of the Committee depended entirely on his arrival. When he went, he found that in the absence of Mr. Telang, the brunt of the fighting was to be borne by him. How well he acquitted himself need scarcely be told. His official colleagues were fair-minded men, on the whole, but they had their prejudices and prepossessions, and their acquaintance with the practical working of the Municipal Act was slight. Their conversion to the popular view on many points of importance was brought about by the exercise of much tact, patience and ability on the part of Pherozechah. It is not surprising that able men as his colleagues were, they had to yield to one who, apart from his natural gifts, had taken a conspicuous share in the municipal government of the city, and who, in the words of Mr. Naylor, was for a considerable period "the very highly respected chairman of the Corporation." He was greatly assisted by the very large measure of criticism to which the Bill was subjected in public, and in particular, by a very elaborate exposition of its views which the Corporation had forwarded to Government.

Perhaps, the most important particular in which the measure was improved was that whereby the

municipal government of the city was vested in the Corporation, subject to express provisions in the Act. The original clause had set up the Commissioner as the authority charged with carrying out the provisions of the statute, and had sought to place him in a position in which he would have dominated the conduct of affairs, and constituted himself the principal authority in matters of local self-government. Mr. Telang had objected to the clause on the first reading and had rightly characterized it as the key-note of the Bill. Its alteration, therefore, was a matter of considerable importance, and purged the measure of its most objectionable feature.

To the part played by Pherozeshah in bringing about this and other modifications, his life-long friend and colleague, Sir Dinshaw Wacha, has borne a testimony, which will not be regarded as exaggerated :—

“ His patient, persevering and convincing advocacy of the amendments after amendments which he proposed were principally, nay, almost wholly, instrumental in casting the Bill in an entirely different shape from that in which it had been originally moulded by Mr. Naylor. Of this colossal labour, this expenditure of time and mental energy of a very high order, the public have little or no knowledge.

He had the largest share of all his other colleagues in modifying each and all of the original sections."

The result of the Select Committee's deliberations was to liberalize the Bill in many important particulars. Several features of it were still open to objection, and the Corporation took up a strong position with regard to them. In the course of a fresh representation it made on the subject, it observed :—

" The Corporation are anxious that their view of the case should not be ignored ; either they are, or they are not, to be the governing body of this city. If they are to be the governing body, they should be entrusted with full powers to carry out what they believe to be right and best ; if they are not to be the governing body, there is then no apparent necessity for their existence."

This bold statement of the case was worthy of the Corporation of those days, consisting as it did of representatives of the people noted for their ability and strength of character, and of a strong and independent body of Europeans who served the city with singular zeal and devotion. When the second reading of the Bill was taken up on the 7th March, 1888, the ground was fought inch by inch, and most of the modifications which the Select Committee had

thrown out were adopted. Mr. Naylor led off with an utterance indicative of the conciliatory attitude of himself and his official colleagues. He was followed by Pherozeshah in a speech which students of municipal politics might read with considerable profit even at the present day. He traced the history of the municipal government in the city, in order to show that the Bill as originally introduced was a retrograde measure, and was calculated to put back the hands of the clock. The Select Committee had altered it a great deal, but there still remained several objectionable features which would have to be strenuously resisted in the Council. For instance, there was a section, which proposed to give very wide powers to the Commissioner in cases of emergency. There was another provision for authorizing the appointment of a Deputy Commissioner, to which Pherozeshah was strongly opposed as leading to divided responsibility. Barring these and a few other obnoxious clauses, he readily recognised that the Bill was a substantial measure of advance along the road to local self-government.

It is unnecessary to do more than to dip into the pages, which record the long and often interesting discussions which took place in the Council, when the Bill was considered section by section. It was an intellectual treat to watch the protagonists of the different points of view marshal their facts



and arguments and fight their respective cases. To those interested in the subject—and they are not to be found round every street corner—a study of Sir Dinshaw Wacha's graphic history of municipal institutions in Bombay may be confidently recommended. It gives the salient points of the long-drawn debates in the Council, and vividly portrays the parts played by individual members. For our purpose, it is enough to say that many of the objectionable features, which still clung to the Bill when it emerged from the Select Committee, were removed by the strenuous efforts of Pherozechah and Mr. Telang, ably backed by Sir Frank Forbes Adam, one of the most liberal-minded merchant princes of the day.

The result was due in part also to the extremely fair attitude which was adopted by Lord Reay, a genuine lover of freedom, and by the official spokesmen who piloted the Bill through the Council. We have, in consequence, in the Act of 1888, a close approximation to the ideal of municipal government cherished by Mr. Telang, namely, "a strong executive responsible to the Corporation, and an enlightened Corporation watchful over its executive." Those who assisted in bringing about the desired consummation might well have been proud of their handiwork. It was not, of course, free from defects, but it was as perfect as the conflicting forces of conservatism on the

one hand and radicalism on the other could make it. As Sir Raymond, then Mr. West, observed, there were very few occasions on which a Bill of such complexity and involving the balancing of so many principles, which at the first seemed more or less opposed, had been passed through a Legislative Council with such general approval of its proposals. The man whose opinion on the subject most counted was well pleased with it. On the third reading of the Bill, Pherozeshah characterized it as an eminently workable and practicable measure. It was drawn on sound principles—sound in theory and tested by long experience. It had carefully steered clear of two pitfalls. On the one hand, it had avoided the blunder of making the Commissioner anything more than the executive officer of the supreme administrative body, which was the Corporation. On the other, it had resisted the temptation of abolishing the Commissioner in favour of executive committees or councils, or of changing the mode of his appointment.

Lord Reay wound up the proceedings with a lucid exposition of the fundamental principles underlying the proposed legislation. Bombay owes much to this courageous statesman, who laboured during five strenuous years to give her a pure and progressive administration. While we recall with gratitude the part played by her sons in securing for her a genuine measure of self-govern-

ment, let us not forget that the man who presided over her fortunes at an important juncture was imbued with liberal principles, which he was anxious to translate into practice. He set the tone to the Council, and the debates throughout maintained a high level of ability, moderation and good sense. His summary of the main features of the Bill was admirable in its lucidity: —

“ Government has mainly had in view to give through this Bill to the ratepayers the greatest security against extravagance and a wasteful administration. Representatives of the city are responsible for the good government of the city. A number of duties are imposed on them which it would be impossible for them in their corporate capacity to fulfil in detail. They are obviously a deliberative assembly, and the result of their deliberations will naturally assume the shape of bye-laws, resolutions or instructions, the execution of which must be left to another authority. Their constitution prohibits the performance of administrative duties which no representative assembly in any other country has ever dreamt of undertaking. They, like all other legislative assemblies, influence, control and direct the administration by giving or withholding the funds for certain purposes, but

they are not and cannot be administrative bodies. The same Act of the Legislature which creates them must, therefore, create other authorities for the purpose of carrying out the duties which the legislative and superintending body cannot execute."

Lord Reay did not fail to pay a tribute to those who had worked with him in a spirit of whole-hearted co-operation. He gave the due meed of praise to Sir Charles Ollivant for the labour and thought he had devoted to the drafting of the Bill, and to Messrs. Naylor, Latham and Macpherson, who had throughout been most helpful in piloting it through the Council. He spoke very appreciatively of Mr. Telang's services, and last, but not least, he bore generous testimony to the value of Pherozeshah's guidance and co-operation :—

" I appointed the Honourable Mr. Mehta on this Council, so that we might have the benefit of his intimate knowledge of municipal affairs in the Select Committee in our debates. The honourable member has taken a considerable share in facilitating the passage and improvements of this Bill which, I believe, meets his views, which, I take it, are representative of those of the community, though, I may be permitted to add, his views were characterized by that independence of judgment which

marks a representative as distinct from a delegate.”

With this graceful compliment, we may bring to an end this brief narrative of a legislative measure which has given Bombay the inestimable boon of a sound and progressive municipal administration, which has been regarded as a model for the whole country. It is still a long way behind Western municipalities, both as regards its administrative achievements and its conception of the functions of a civic corporation. But for all that, the Act of 1888 has given the citizens of Bombay a charter of local self-government, which has proved the most successful, as it has been the first experiment of its kind in India. It has stood the test of time, and, subject to a few modifications which experience has rendered necessary, has been found to be an eminently sound and workable measure, which has provided an excellent training ground for the development of administrative capacity. There have been occasions on which a masterful Commissioner has undermined the independence of the Corporation, there have been times when the debates have sunk to an unpleasantly low level. But the most perfect human institutions must depend for their success on the men who work them, and such lapses and shortcomings must be viewed in their proper perspective. In his final remarks on the Bill, Pherozeshah observed that the prospect of its

success would not simply be in its own excellence; it would depend in a great measure on its being worked in that combined spirit of enlightened zeal and public spirit, and of sound practical common-sense, which had distinguished the conduct of municipal affairs in the past. He was confident that it would be worked in that spirit, and that it would "add fresh laurels to the municipal fame of this city." The prediction has been amply fulfilled. By the manner in which she has administered her affairs, Bombay has added to her reputation for political sobriety and capacity. This has been due in a considerable measure to the life-long labours of Pherozeshah himself. As the Duke of Connaught, who was associated with him when the Act of 1888 was being moulded in the Legislative Council, observed the other day, the municipal constitution of Bombay "bears the indelible mark of genius impressed upon it by the late Sir Pherozeshah Mehta," whom he was proud to remember as a friend. For more than a generation, his personality dominated the stage. When he quitted it, he left a tremendous void, which, it is feared, may never be filled. But his work endures, and the spirit which he has infused in the administration of local affairs will continue to inspire succeeding generations, and will help to maintain the proud position which the Bombay Corporation has so long occupied among the self-governing institutions in this country.

## CHAPTER XII.

### PROFESSIONAL SUCCESSES—A JOURNALISTIC VENTURE—THE CRAWFORD INQUIRY— EDUCATIONAL ACTIVITIES.

1887-1889.

THE qualities which placed Pherozechah in the forefront of Indian politicians also brought him to the front rank in his profession. Courage, independence and skill in argument are naturally as much prized by parties to a litigation as by the general public. The resourceful debater was equally sought after in courts of law as in the council, chamber or on the platform. All over Gujarat and Kathiawar his services were in continual request. His impressive presence, polished manners and elegant attire—not to forget the velvet collar which adorned his coat!—lent distinction to his personality, and marked him out from all his contemporaries. Wherever he was wanted, he went in a sort of state, with a travelling paraphernalia which was something to wonder at, and which often included a barber! His extremely fastidious habits, which had to be scrupulously respected, added to the awe in which he was

held by his clients and by the public generally. The combined battery of these forces bore down alike on the presiding judge and the opposing counsel and witnesses. Add to all these the attributes of a skilful advocacy, and it is not surprising that his forensic triumphs were as great as any he achieved in the sphere of public life.

In 1887, we find Pherozeshah engaged in two cases which attracted considerable attention at the time. One was what was known as the Municipal Octroi case, in which a respected citizen of Broach, Mr. Edulji Muncherji, was charged with breach of trust. Messrs. Jardine and Pherozeshah defended the accused, and after a lengthy hearing secured his acquittal. The verdict aroused considerable enthusiasm, and the more energetic among the good folks of Broach wanted to drag the carriage of the victorious counsel from the court to the bungalow where they were staying. The latter having declined the honour, their admirers had to content themselves with giving the heroes a hearty send-off. The entire route was decorated with crude ornamentations of all sorts, and the inevitable brass band was in evidence at half a dozen points on the way. At the station, flowers were presented and speeches were made, to the accompaniment of riotous music. As the Broach correspondent of a Bombay journal remarked, "the demonstration was touching in its simplicity, quite



natural in some of its very oddities ; and as a sincere expression of joy and admiration, it was calculated at once to please and amuse those in whose honour it was made."

Another *cause celebre* in which Pherozechah was engaged, and which added considerably to his reputation was the Cambay Inquiry which took place in the early part of 1887. In this trial, Mr. Wilson, the Collector of Kaira, stood charged with having made indecent overtures to a daughter of the Diwan of Cambay. The high position of the parties and the nature of the offence invested the inquiry with a great deal of importance, and public interest was excited in an unusual degree. The Government of Lord Reay, distinguished for the courage with which it dealt with moral lapses on the part of its servants, however highly-placed or influential, appointed a commission of inquiry consisting of two responsible officials. Mr. Inverarity, one of the greatest advocates who have ever practised in Indian courts, was engaged on behalf of the accused, and Pherozechah appeared for the complainant. The inquiry was held at Ahmedabad. In the absence of suitable accommodation, Pherozechah and the attorney instructing him had to put up at the refreshment rooms at the railway station. After a lengthy hearing, Mr. Wilson was found guilty of the charge laid against him, and this decision of the Commissioners

was endorsed by the Government of Lord Reay after a careful consideration of the evidence in the case. Mr. Wilson appealed to the Secretary of State, tendering his resignation from the Service at the same time, and had the satisfaction of having his character duly white-washed.

As for Pherozeshah's conduct of the case, we have the testimony of a distinguished American, Mr. James Gordon Bennett, who was touring the world, and happened to be at Ahmedabad at the time of the Inquiry. In an interesting reminiscence of that famous sportsman and proprietor of the *New York Herald*, the Calcutta journalist who writes racy paragraphs on Bombay topics to the columns of the *Capital*, gives us a few glimpses of the trial, which was evoking such widespread interest. He was present throughout as the special reporter of *The Times of India*, and we shall give the account in his own words :—

“On the third or fourth day of the trial, a party of Americans from Bombay alighted at the Ahmedabad station to do the sights of that ancient city of *durwazas*, temples and mosques. They were all at dinner that evening in the ordinary, and listened attentively to the prattle about the day's proceedings in court in which the lawyers and

journalists indulged. The next morning one of them, who was evidently the leader, came to me and asked if it would be permissible for a stranger to attend the court to listen to the evidence. If so, he would prolong his stay in Ahmedabad, instead of proceeding at once to Rajputana to visit Udaipur and Jodhpore. I told him that he could come with me if he liked, and I would get him a chair at the reporters' table, there being little or no accommodation for the public. He was grateful and asked me to liquor. I cottoned, and we went off together. He was lucky in his day, for it was completely taken up with the cross-examination by Mr. Mehta of the chief witness for the defence. The great Parsee barrister never in all his career did anything more splendid. The forensic triumph staggered my companion, who told me afterwards that Mr. Chauncey Depew could not have bettered it."

It was at lunch that the American told the journalist who he was—none other than Mr. James Gordon Bennett. He said he was doing the grand tour of India and expected many interesting experiences, but he doubted that any would beat "the wonderful eye-opener by the Parsee lawyer, who had twisted a wily witness into a corkscrew."

Mr. Bennett did not know, of course, that the skilful advocate whom he was admiring was an altogether remarkable man, who could have made his mark in any country in almost any walk of life.

Pherozeshah was in the front rank of the profession at this period. When Mr. Justice Nana-bhai Haridas died in 1889, his name was freely mentioned in connection with the vacancy, along with the names of Tyabji, Telang and Ranade. Ultimately, Telang was appointed, and a brilliant and capable leader was lost to the national cause. Not for the first time, however, were the thin ranks of our public men reduced by desertion, nor for the last. One after another, Tyabji, Ranade and Chandavarkar mounted the Bench, and disappeared from active public life. Almost alone among his early associates, Pherozeshah kept himself free to the last to fight for the cause he had made his own. Some time after Mr. Telang's elevation to the Bench, Lord Reay told Mr. H. A. Wadya that if the appointment had for any reason been vetoed by the Secretary of State, he would have offered it to Pherozeshah, but he doubted whether the latter would have accepted it. Our political history would certainly have been differently written if the contingency contemplated by Lord Reay had arisen, and the offer by some chance had been accepted.

## II.

Ever since the Ilbert Bill agitation quickened political life in the country, the Bombay leaders, and particularly the brilliant triumvirate—Tyabji, Telang and Pherozeshah—were carrying on a ceaseless campaign for reforms in every branch of the administration. From various platforms and through diverse organizations, they laboured to promote the public good in every sphere of national life. But they were handicapped by the want of a newspaper which would support their policy, and inculcate from day to day the principles for which they stood. *The Times of India* was frankly anti-Indian in most of its views, and though the *Bombay Gazette* was sympathetic in its general attitude towards Indian aspirations, it could not be regarded as expressing the popular point of view. Calcutta, Madras and even places of lesser importance, boasted of one or two national organs, but ‘the first city in India’ had apparently not the public spirit and enthusiasm to found and maintain an English daily conducted from the Indian standpoint.

It was with a view to wipe out this reproach and supply a real want, that Pherozeshah in partnership with a well-known journalist, Mr. Jehangir Murzban, undertook in 1888 to resuscitate the *Advocate of India*, which was languishing at the time. It was then under the control of Dr. Blaney,

that eminent citizen, whose manifold services to Bombay were afterwards rewarded by a grateful people with a statue erected in his life-time. The necessary arrangements were made, and the proprietorship of the paper changed hands. In announcing that fact, the new management told the public what its policy was going to be, in an article which is believed to have been written by Pherozeshah. After stating that those who had the direction of the paper in their hands had no intention of making rash promises of any sort, beyond that they would endeavour to discuss all public questions in a way which would promote the best interests of the country, the article went on to say :—

“ There is, therefore, room in this Presidency for an English daily which would present Indian phenomena and facts, and approach and treat all Indian questions from an Indian point of view. We trust that this can be done with moderation as well as independence. We hope to steer clear of two pitfalls, into one or other of which people in this country are apt to tumble in forming their judgments of men and events. We shall no more presume that all Englishmen, official or non-official, are malignant tyrants till they prove themselves the contrary, than we shall counte-

nance the presumption that all natives, and especially educated natives, are disloyal, seditious and generally ill-conditioned, till they establish their innocence. We steadily refuse to believe that Englishmen have a monopoly of one moiety of the sins in the decalogue, and the natives of this country of the other."

The rejuvenated *Advocate* started off very well owing to the exertions of Pherozechah, who got a band of able writers to contribute to its columns. Among its first helpers in places outside Bombay were Messrs. N. Gupta, G. Subramania Iyer, Harchandrai Vishindas and Padshah, names little known then, but not unknown to fame in journalistic and political circles in later years. Mr. Dinshah Wacha, too, made some notable contributions, particularly in reference to the Hume-Colvin controversy over the Congress. The paper looked up, and did useful service to the popular cause. But Pherozechah's connection with it was short-lived. He had differences with his partner, and within a year, his association in the venture came to an end. Years afterwards, when the *Advocate* had passed into the hands of Mr. Gordon, the present proprietor, Pherozechah helped the paper in its difficulties in a substantial way. The ever-ready pen of Mr. Wacha was also freely employed in its service. This assistance was publicly acknowledged by

Mr. Gordon on more than one occasion. But when, later on, a change came over the tone and policy of the paper, it did not hesitate to attack the very man whom it once used to hold up for admiration, and to whom it owed not a little of the success with which it tided over a period of difficulty.

### III.

Among the notable events of Lord Reay's administration was the Crawford inquiry, which took place in 1889. That gifted official, after his brilliant but extravagant administration of Bombay's municipal affairs, had filled with credit a number of important positions, and was at the time of his tragic downfall holding the responsible post of Commissioner of a Division. His tenure of that office was marked by unexampled bribery and corruption, which amounted to a public scandal. The position and influence of the man, and the prestige of the Service to which he belonged, protected him, however, for a long time, and would have secured him practical immunity from the consequences of his misconduct so long as he remained at his post, were it not that the ruler of the province was a man of exceptional capacity and strength of character. In the teeth of considerable opposition, Lord Reay courageously decided to



investigate the charges which were freely flung about in public, and appointed a commission of inquiry.

It was a duty which most other men would have shrunk from. The *furor* that was created, the difficulties that were encountered in obtaining proper evidence, the special measures that had to be adopted for the protection of witnesses and the controversies that were roused, all these are matters of history which do not concern us for the moment. Sufficient for our purpose to note that the result of the inquiry was that Mr. Crawford was found guilty of the charges levelled against him, and that thereupon a furious campaign of vilification and misrepresentation was carried on against Lord Reay's government in the organs of the bureaucracy with a view to discredit the inquiry. The prestige of the "Heaven-born Service" had suffered a damaging blow, and there was such a flutter in the official and non-official dovecotes as never was seen.

This was the position of affairs when a confidential note written upon the inquiry by Mr. Ommaney, the Inspector-General of Police, who was in charge of the case, saw the light of day in the blue-book upon the subject. In the 78th para. of the memorandum, the following passage occurred :—

" Before concluding this narrative of the inquiry, I think it will be as well to say a

few words in further explanation of the opposition that I have referred to in various places. It must in the first place be clearly understood that the whole of the Parsi community, which includes all the people who know most about Mr. Crawford's financial arrangements were in the opposition. From Sir Jamsetjee Jejeebhoy down to Merwanji Pleader and the proprietors of *The Deccan Herald*, every Parsi was a passive or active obstructionist."

The excitement into which the Parsi community was thrown by this libellous statement may easily be imagined. There were angry protests from all sides, and indignant correspondents wrote long letters to the papers. The incident was cleverly manipulated by those who were up in arms against Lord Reay's Government on the score of the inquiry, and the movement for holding a public meeting of the community in Bombay to protest against the Inspector-General's reckless aspersions found unexpected supporters in the ranks of Englishmen in the City. The affair was to be artfully represented as a denunciation of Lord Reay's action, and was to be utilized for outside consumption.

The political sagacity of Pherozeshah saw through the manoeuvre at once. He clearly realized that the leaders of the movement for a public meeting

were playing into the hands of those large and powerful sections, here as well as in England, to whom the Crawford inquiry had given dire offence. To defeat the object in view, Pherozechah called a meeting of a few influential Parsis to consider what steps should be taken by the community with reference to the remarks in Mr. Ommaney's report. His opinion was that all that was needed was a strong but dignified representation to Lord Reay. This view of the matter prevailed, and Sir Dinshaw Petit was asked to address His Excellency. The representation which the latter made was drafted by Pherozechah, and was an effective remonstrance, which lost nothing of its force by being short and dignified. A prompt reply was sent, exonerating the community from the charges levelled against it in Mr. Ommaney's thoughtless memorandum, and this *amende honorable* was regarded by many leading Parsis as affording sufficient satisfaction.

The excitement amongst the mass of the community did not subside, however, thanks to the efforts of Mr. Kabraji, the veteran journalist, Mr. Nanabhai Chichgar, and Mr. (now Sir) M. M. Bhownuggree, and to the clever wire-pulling of the Anglo-Indian Press in Bombay. The clamour for a public meeting to wipe out the stain on Parsi honour continued with unabated fury. Pherozechah, Mr. Sorabji Bengalee, who was actively associated with him in the action they

had taken, and others were freely abused in some of the Parsi papers, notably the *Rast-Goftar*. Thereupon, Pherozechah wrote a letter to the *Advocate of India* on 17th August, 1889, in which he explained at some length his view of the matter. He commenced by expressing his hearty concurrence with the statement contained in Sir Dinshaw Petit's letter to the Governor—which was not surprising in view of the fact that he himself had drafted it!—that the imputation of offering passive or active obstruction to the inquiry was not only unfounded and undeserved, but that it misrepresented the attitude of the community towards the inquiry, as nothing was better known than that the Parsi community generally was foremost in according the fullest and most emphatic approval to the action of Government throughout the whole of the inquiry, and in cordially appreciating the firmness and high sense of duty which were so remarkably manifest in undertaking and prosecuting so arduous and difficult a task. That being the case, the only question was what was the best way of repudiating the attack made by Mr. Ommaney,—of whose handling of the case, it may be said in passing, Pherozechah had the chivalry and fairness to speak in terms of appreciation—without giving a handle to those who wished to turn the incident to account, by representing that the Parsi community had also turned against the Govern-

ment. Pherozechah thought that a public meeting was certainly not a wise move. Those who were in favour of it had urged that every care would be taken in making clear the object of the meeting. But, observed Pherozechah with much shrewdness, their elaborate speeches and explanations would scarcely be read except by themselves, and the whole thing would be misrepresented, as had been done over and over again in the course of the inquiry with regard to other matters. He concluded by declaring that he had no positive objection to the holding of a public meeting, apart from the above considerations, except that he thought it was like using a ton-hammer to crack a nut.

This lucid and trenchant criticism, which was followed by another a few days later, in which he roamed over a variety of topics, and dealt out hard blows to his opponents, was widely read and commented upon, though it did not prevent the meeting being held. *The Bombay Gazette* entirely agreed with Pherozechah in thinking that public opinion in India and England would be misled, and it approved of the out-spoken language of "this influential exponent of Parsi opinion." If the bulk of the community had understood the facts, they would not have listened to excited counsels. The incident, not of any special importance in itself, illustrates the shrewdness of Pherozechah's

judgment, and the almost unerring instinct with which he divined the motive and purpose of any political move. While others were led away by the passions of the moment, he could see the issue with remarkable clearness through the mists and fog of political controversy. If, as was frequently alleged, he was an autocrat, it was certainly for a very good reason, and that was, that in almost all matters, he could see further than any of his contemporaries.

#### IV.

In July, 1889, Pherozeshah was elected a Dean of the Faculty of Arts in the Bombay University. His rise to a position of influence in the University was somewhat rapid. Though his connection with it dated back to the year 1868, when he was appointed a Fellow on the recommendation of Sir Alexander Grant, for some years he took no very active interest in the deliberations of the Senate. It was not till 1886, when he had attained eminence in other walks of life, that he began to play a leading part in the affairs of the University. About that time, he joined in the discussion of various matters of importance. One of them related to the introduction of French as a second language in the curriculum of the University. Pherozeshah strongly supported the proposal,

which had been moved by Mr. Justice Jardine, and urged that the excellence of English literature was no reason why other modern languages should not be admitted. Students ought to be free to gather their knowledge from all sources. This view commended itself to a majority of the Senate, and the proposition was carried in spite of considerable opposition based on ancient prejudices. Another question on which Pherozeshah addressed the Senate was when the standard of admission to the Medical College was under consideration. The proposal was to raise it from the Matriculation to the Previous examination. Pherozeshah, chivalrous as he was, moved that the standard should be raised only in the case of male students, so as not to hamper female education. The amendment was defeated, perhaps, because, as a journal remarked, it was too obviously partial to the fair sex to commend itself to the meeting.

Somewhat more exciting was a discussion which took place early in the same year on a recommendation of the Syndicate to the Senate that a special grace be passed in favour of Mr. Jehangir Kabraji—a son of the well-known editor of the *Rast-Goftar*—for admission to the M.A. examination. This innocent little proposition provoked a considerable amount of heat and bitterness. The veteran journalist's political views were unpopular, and a

systematic campaign had been carried on in the Press against the passing of the 'grace' by a number of young graduates. Mr. Wordsworth, Principal of the Elphinstone College, moved the adoption of the Syndicate's recommendation. Pherozeshah seconded the proposition, and bluntly told the Senate that the discussion would not have taken place, but for the fact that young Kabraji was the son of his father. This remark provoked much resentment, which found its way into the newspapers also. After a heated debate, the proposition was carried by a narrow majority. Mr. Wordsworth and Pherozeshah were hissed and given an uncomfortably hot reception by the crowd of students gathered inside the Hall. Their courageous advocacy brought them considerable unpopularity for a time.

Pherozeshah's interest in the cause of education was manifested in various other ways. He became one of the promoters of the Graduates' Association which was started in Bombay in April, 1886. A meeting was called for the purpose of inaugurating it in the rooms of the Presidency Association. Mr. Vaman Modak, an educationist, who was among the first alumni of the University, was called to the chair. On the proposal of Pherozeshah, seconded by Mr. Chandavarkar, the Association was formed, and Mr. Ranade was appointed its first President. For the first few years, the Association showed considerable activity. It memorialized the



University and the Government on all manner of educational questions, and did much useful work. Among other things, it obtained from the University the right of representation for graduates on the Senate. Pherozeshah's connection with it continued to the end. Two years after it was started, he was appointed President, and enjoyed that position for a number of years. His presidential address delivered at the seventh annual meeting, if we may anticipate matters a little, was a notable pronouncement. It was a fighting speech in his best manner, and lends life to the dull pages of the Association's history. The main theme of this utterance was the change which had come over the policy of Government with regard to higher education, particularly in the direction of throttling it gradually by the withdrawal of State aid. Pherozeshah examined the recommendations of Lord Ripon's Education Commission in that behalf, and showed that while it was anxious to encourage a gradual and unforced transfer of institutions, it was not prepared to make any suggestions which might be construed into a demand for the immediate or general withdrawal of the State from the provision of the means of higher education. The Report was clear on the point :—

“ The Department should cordially welcome every effort of the kind, and should accept it, if it can be accepted without

real loss to the community ; but while encouraging all such offers, its attitude should be, not that of withdrawing from a charge found to be burdensome, and of transferring the burden to other shoulders, but of conferring a boon on those worthy of confidence, and of inviting voluntary associations to co-operate with the Government in the work and responsibilities of national education. We have certainly no desire to recommend any measures that will have the effect of checking the spread and continuous improvement of higher education."

In this connection, the temptation to drag in Mr. Lee-Warner, one of the ablest and most bigoted enemies of Indian aspirations, was too great to be resisted, and his exposition of the new policy came in for some refreshing criticism at the hands of Pherozeshah, who handled his theme with a skill and mastery of argument, which left nothing to be desired. There were some delightful hits, and officials high and low got a somewhat rough handling. The niggardliness of the Government towards the University was contrasted with their extravagance in other directions, and the claim put forward by Lord Harris that the expenditure on education in the Presidency compared favourably with that incurred in other countries was disposed of without difficulty. Seldom had the

educational policy of the Government been subjected to such trenchant and incisive criticism.

Before the Association reached years of maturity, it lost its energy and enthusiasm, and gradually sank into torpor. Conducted with vigour, it might have exercised considerable influence on the progress of education in the Presidency. As it was, it left the battle to individual reformers, whose efforts were greatly hampered by the absence of a well organized body of public opinion, such as the Association could have created by sustained and vigorous action.

We have said enough to show the nature of Pherozechah's interest in educational matters at the time of his election as a Dean, to which reference has already been made. The contest was keen, his opponent Mr. James Jardine being a prominent member of the Bar and the Senate. The defeat of the latter appears to have caused mortification to a certain section, and an excited individual wrote to the papers condemning the election, and attributing it to the "spirit of mischievous combination for the exaltation of members of their own race that has recently been growing among the Parsees." It was said that Pherozechah had taken little deliberative or administrative part as a member of the Faculty. This may have been true in a certain measure, for Pherozechah's numerous pre-occupations and frequent absence

from Bombay on professional engagements, prevented his taking a continuously active part in the affairs of the University. But the writer did less than justice when he ignored Pherozeshah's contributions to the debates of the Senate on important occasions. This was pointed out by a Parsi correspondent, who effectively answered the various objections raised against the election. He showed that it had nothing to do with sectarian considerations, for the Parsis had abstained from putting forward Pherozeshah's claims to the judgeship on the High Court Bench, which had fallen vacant a little while before. The reason why he had been elected a Dean was, that the Syndicate had lost its prestige in the eyes of the public by the indifferent way in which it had discharged its functions, and consequently required "a competent and independent person to preside over their meetings and guide their deliberations."

The correspondent might have gone further and pointed out that Pherozeshah's deep and abiding interest in the cause of education, manifested from a very early age, his insistence on the benefits of higher education, and his anxiety to see that neither primary nor technical education should be allowed to claim precedence over it, were in themselves sufficient grounds for placing him in a position of influence in the deliberations of the University. How wisely the Senate exercised its

franchise on the present occasion was abundantly made clear in later years, when the great gifts which had distinguished Pherozechah in other spheres were brought to bear upon the affairs of the University, and gave him a predominance in its counsels which was never questioned, except for a short period during the administration of Lord Sydenham, who did not scruple to utilize an officialized body for the furtherance of his reactionary ideas in matters of education. As a matter of fact, the very next year—to anticipate matters once again—he initiated a somewhat important measure of reform, when he got the Senate to agree to the appointment of a committee of inquiry into the working of the system of appointing examiners. In April, 1890, he addressed a letter to the Syndicate, together with a carefully drawn up memorandum on the question of the appointment of boards of examiners. A reply to this letter was sent by the Registrar, conveying the unanimous opinion of the Syndicate that the change suggested was uncalled for. Public opinion was on the side of Pherozechah, however, and he brought the matter up before the Senate in another form some time later in July. Among his strongest opponents on this occasion was Mr. Telang, who had been elevated to the Bench a little while before. Pherozechah carried the day, and as the *Indian Spectator* remarked, it spoke well for the good sense of the members of the

Senate that they should have accepted his proposal, and recognized the necessity for the adoption of a uniform system of appointing examiners and conducting examinations.

## CHAPTER XIII.

### LEADER OF THE CONGRESS.

1889-1890.

THE national organization brought into existence in Bombay in 1885 by the devoted labours of a handful of patriots, had lived through four eventful years. Ushered into the world under the happiest of auspices, its growing activities soon created suspicion and alarm in the minds of Englishmen, official and non-official, and the Congress became an object of abuse and ridicule, showered upon it with an extravagance which defeated its own object. The movement spread far and wide, and speedily gathered strength and influence in every part of the country. The modest number of 72 delegates, who had gathered at Bombay in 1885, had mounted up to 412 the year after, and had shown a progressive rise. Besides securing a numerous following, the Congress, under the inspiring leadership of Mr. Hume, had started active propaganda work in every town and district. Two of the pamphlets issued by it had arrested wide-spread attention, appealing as they did both in manner and matter to the popular

imagination. These proceedings aroused bitter hostility, and "Anglo-India" and officialdom, and the Press which represented them, started an active campaign of misrepresentation and vilification.

When the Congress met at Allahabad in 1888, it did so in an atmosphere of bitterness and strife. The Reception Committee had very great difficulty in finding a site, and it was only when a private mansion with extensive grounds was secured through the patriotic enthusiasm of a certain nobleman, that the Congress was able to overcome the obstructions placed in its way. But this was not all. An anti-Congress propaganda had been started, led, unfortunately, by that distinguished Mohamedan, Sir Syed Ahmed, and supported chiefly, as Mr. Eardley Norton put it, by an "array of illiterate knights and rajahs, who atone for their defective education by the violence of their expletives."

Authoritative official condemnation was not wanting, either. In a famous speech at the St. Andrew's dinner at Calcutta on 30th December, 1888, Lord Dufferin, who was in a sense the originator of the Congress movement, denounced its ideals and methods in language which has often and often been quoted. "Some intelligent, loyal, patriotic and well-meaning men," said he, "are desirous of taking, I will not say a further step in



advance, but a very big jump into the unknown, by the application to India of democratic methods of government, and the adoption of a parliamentary system, which England herself has reached by slow degrees, and through the discipline of many centuries." His Lordship ended by characterizing the educated classes as a "microscopic minority," and their demand for representative institutions as eminently unconstitutional.

Equally famous as this viceregal criticism, was the correspondence which passed in October, 1888, between Mr. Hume and Sir Auckland Colvin, the Lieutenant-Governor of what were then known as the North-Western Provinces. Mr. Hume wrote to Sir Auckland, telling him that he was generally regarded as hostile to the Congress and as the inspirer of all the organized attacks upon it, and asking him for an open expression of his views. The letters which passed between them as the result of this were a striking exposition of the points of view of the two antagonists, and when published found a very wide circle of readers.

Such was the atmosphere in which the Congress held its fourth sessions at Allahabad during the Christmas of 1888, under the presidentship of Mr. George Yule, one of the leading members of the English community in Calcutta. No "disappointed civilian" was he, nor a glib-tongued lawyer, but a prosperous merchant with no grievances to

air, nor prejudices against his caste. The selection of the chairman of the Reception Committee was equally happy. Pandit Ajoodianath was one of the foremost men in the province, with a character which stood as high as his professional and public reputation.

As may be expected from the opposition encountered by the Congress, the proceedings were of a more than usually lively character. The presence of Raja Shivaprasad—a henchman of Sir Auckland Colvin—who had got himself elected as a delegate with the object of introducing discord within the ranks, threatened at one time to create serious disorder, but the leading spirits of the Congress defeated the attempt, and the obnoxious Rajah was quietly escorted home. The presidential address was a very weighty and dignified pronouncement. A strong note of optimism and faith in the future ran through the utterance :—

“ All movements of the kind in which we are concerned pass through several phases as they run their course. The first is one of ridicule. That is followed, as the movement progresses, by one of abuse, which is usually succeeded by partial concession and misapprehension of aim, accompanied by warnings against taking ‘ big jumps into the unknown.’ The final stage of all is a substantial adoption of the object of the

movement with some expression of surprise that it was not adopted before."

Pherozechah's contribution to the deliberations was confined to two or three short but effective speeches. He moved the proposition for the appointment of the President in a few felicitous phrases. He spoke with effect on the resolutions dealing with the public service question to which he had given much thought and study. In January, 1888, he had been invited to give evidence before the Public Service Commission, which had been appointed after the failure of the Statutory Service had been recognized on all hands. Both in his written and oral evidence, Pherozechah had taken up a strong attitude. He had condemned the various expedients suggested for the improvement of the Statutory Service, and had pressed for a fair and open competition under equal conditions. Failing simultaneous examinations, he had favoured the foundation of numerous scholarships, "tenable by natives in England for the purpose of enabling them to qualify and to compete for the Covenanted Civil Service, provided these scholarships were not bestowed by any system of nomination of any kind or sort whatever, but by free and open competition in India."

The conclusions which the Commission had arrived at were discussed with much knowledge and ability at the Allahabad Congress. While it

was conceded that an advance had been made, dissatisfaction was expressed at the manner in which the question of simultaneous examinations had been dealt with. The resolution on the subject was proposed by Mr. Eardley Norton, one of the earliest and warmest supporters of the Congress, with a reputation for ability and independence which stood very high. It expressed appreciation of the concessions proposed by the Commission, but emphatically declared that full justice would never be done to the people of the country until the Civil Service examination was held simultaneously in England and in India.

Pherozechah seconded the proposition and put the case for the larger employment of the people of the country on the ground of political as well as economic necessity. Mr. Dadabhai Naoroji had over and over again pointed out, that apart from every other consideration, it was sound economy to associate Indians more closely in the administration of the country. Pherozechah going further contended that the political necessity was even greater than the economic. According to him :—

“ When the time came to settle the principles on which British rule in India was to be carried on, it was clearly recognized by those sober statesmen who guided the destinies of England at that time, that even for Orientals an absolute despotism

was an impossible creed in practical politics. It was clearly recognized that even the most benevolent and most paternal despotism must, if it wants to be stable and permanent, place its roots in the country in which it carries on that rule ; and this principle was soberly though eloquently enunciated by Lord Macaulay in 1833, when he said that for the sake of English honour and English wisdom, it was absolutely imperative that the natives of this country should have an equal share in the administration."

How far this economic and political necessity of associating Indians more closely with the administration was recognized, may be gauged from the fact that more than fifteen years later the figures compiled by Lord Curzon's Government themselves showed that out of 1,370 appointments carrying more than Rs. 1,000 a month, only 92 were held by Indians. Such was the recognition of the principle laid down as far back as 1833 that there should be no ' governing caste ' in India.

Another interesting subject for discussion before the Allahabad session related to the Arms Act. The resolution before the Congress was an affirmation of that which had been passed a year previous, and declared that the Act should be so modified as to "enable all persons to possess and wear arms, unless debarred therefrom, either as individuals

or members of particular communities or classes, by the orders of the Government of India (or any local authority empowered by the Government of India in that behalf) for reasons to be recorded in writing and duly published." This proposition evoked some opposition, and Mr. Telang was among those who thought that it was dictated purely by sentimental considerations. He feared the use that might be made of an indiscriminate liberty to carry arms. Pherozeshah, who followed him, maintained on the other hand, that whatever might be the sentimental aspect of the question, there was one very sound reason in support of the proposition, and that was that "you cannot, and ought not to emasculate a whole nation." Once the Indian people became emasculated, it would be a very long time before they would recover their manliness and vigour. Many of those present, he said, would remember the case of James II, who, when in his hour of peril, he appealed to the Duke of Bedford (whose son had been judicially murdered by the King) for help. was told by the old nobleman, "I had once a son whom I could have sent to your assistance. But I have not got him now." In the same way, in some hour of need, India might have something similar to say to England. The speaker recognized the difficulties in the way, but he maintained that if they followed a far-sighted policy, they would

realize from the lessons of History that it could never be wise to emasculate a nation.

This sentiment and the story which illustrated it appealed greatly to the audience, and after some further discussion, in the course of which Mr. Surendranath Bannerji supported the proposition, it was put to the vote and carried by a large majority. *The Bombay Gazette*, among other papers, condemned the resolution. It was of opinion that it did not express the better mind of the Congress, and that Pherozeshah's predilection for freedom to carry arms on the ground that a whole nation ought not to be emasculated, read strangely in the light of local history. *The Gazette* reminded him of an occasion on which it was deemed necessary to prohibit the carrying even of walking sticks in the streets of Bombay, and concluded that the Congress would have improved its position if it had declined to be led into dubious paths in relation to the subject.

We must now leave the Allahabad Congress and hurry on to the one held at Bombay in the following year. The venue was decided upon after a consideration of the relative merits of Poona and Bombay. At first, it appears from a letter of Mr. Ranade to Pherozeshah written in the early part of January, the once proud capital of the Peishwas was not anxious to enjoy the honour of which she had on a former occasion been deprived by a

cruel chance. But later on, her young men bestirred themselves, and she was eager to shoulder the burden of holding the Congress in her midst. Ultimately, however, Bombay once again robbed her of the privilege.

From the personality of those who took a leading part in it, and the numbers that consequently flocked to it, the Bombay session proved to be the most memorable gathering of the "unconventional convention" that had yet taken place. Very few Congresses indeed have surpassed it in brilliance. The presidential chair was occupied by Sir William Wedderburn, a fine type of an English gentleman, who had retired from service two years previously, loved and honoured by all who had come in contact with him. The glowing tributes that were paid to his worth on his retirement from office, by the leaders of public opinion in Bombay, at a Town Hall meeting convened by the Sheriff, were no conventional expressions of regard, but were the outcome of a very thorough and genuine appreciation of Sir William's rare devotion to the country ; and that feeling found further expression in the people offering him on the present occasion the highest honour that lay within their gift.

The privilege of welcoming the delegates to this historic Congress was conceded to Pherozeshah as an appropriate recognition of the fact of his being the most outstanding figure in the public life of Western



India at this period. A more popular selection could not have been made, at least, from the point of view of a Bombay audience. But the biggest 'draw' of all was the presence of that great champion of democracy, Charles Bradlaugh, whose magnetic eloquence had thrilled vast audiences in his native land, and whose stormy career had deeply struck the public imagination. He had been persuaded to take an interest in Indian questions by the friends of this country in England, and had addressed a number of public meetings. He had recently prepared a draft Bill for introduction into Parliament for the reform of the Legislative Councils. It embodied in legal form what was then believed to be the general view of the Congress on the subject. Mr. Bradlaugh's object in visiting India was to ascertain on the spot the mature views of the educated classes on certain important points in connection with the Bill, which had been translated into many vernaculars, and had received a most careful consideration all over the country.

It was a great gathering. The number of delegates was 1,889, corresponding curiously with the year in which the session was held. A vast structure had been erected on a site at Byculla belonging to Sir Albert Sassoon, and next to his mansion, the "Sans-Souci," to accommodate the delegates and visitors, who numbered nearly 6,000.

The burden of making the necessary arrangements fell mostly upon the Chairman of the Reception Committee, and on the local secretary, the indefatigable Mr. Wacha, whose untiring efforts to promote the success of the Bombay session were afterwards appreciated by the presentation of a piece of plate by the Reception Committee.

It was a worthy occasion for the exercise of Pherozeshah's oratorical gifts, and he rose splendidly to it. Sarcasm, banter, ridicule were among the weapons with which he usually confounded his opponents, and he employed them with deadly effect in his speech of welcome to the delegates of the Congress. It was a telling vindication of the essential loyalty and national character of the movement. At the outset, the Chairman contended that, though the delegates present might not be the chosen of the people by any scientific mode of election, they virtually and substantially represented them, their wants, wishes, sentiments and aspirations in all the various ways in which representation manifests and works itself out in the early stages of its progressive development. He went on to recount the services which the Congress had directly and indirectly done to the country. It had brought into clear and emphatic recognition the fact of the growth of the national idea amongst the people. It had done that which was a necessary prelude to all reform, a thorough sifting and

searching of some of the most vital of Indian political problems.

“And now that the proposals of the Congress have bravely stood the test, our opponents have recourse to the familiar device, which is so often employed to cover retreat, and they are lost in wonder that we are making so much fuss about things which have nothing new in them, and which have been long contemplated by many an Anglo-Indian statesman at the head of affairs. Now, gentlemen, we are quite ready at once to plead guilty to this not very dreadful impeachment. But though it may not be said of these statesmen, what was once said of the anti-Reform party in England, and can certainly be said of some Anglo-Indians, that they never have anything kind or generous to say of the Indian people, this may surely be said of them, that though they do sometimes have something generous to say of the Indians, they have never shown the slightest disposition to confer upon them any portion of political rights. If the Congress has done nothing more than quicken into action these political *Yogis*, so long lost in contemplation, it will not have laboured in vain.”

When the cheers which greeted this sentiment

had subsided, Pherozeshah passed on to deal with the opposition to the Congress, which by a lot of wire-pulling had culminated in the formation of an Anti-Congress United Patriotic Association. He referred to the activities of the two leading spirits of the organization, and drew a humorous picture of the difficulties which had arisen through the combination of two such personalities :—

“ They were so like the Scotch terrier, who was so covered with hair, that you could not tell which was the head or which was the tail of it. (Laughter and cheers.) Sir Syed Ahmed pulled vigorously one way, Raja Shiva Prasad as vigorously the other ; and they so pulled between them the poor popinjay they had set up, that it burst, and poured out—to the amazement of a few and the amusement of us all—not the real patriotic stuff with which it had been announced to be filled, but the whitest and purest sawdust.” (Renewed laughter and cheers.)

Referring next to the charge of disloyalty, Pherozeshah maintained that in its keen solicitude for the safety and permanence of the Empire, in which lay implanted the roots of the welfare, the prosperity and good government of the country, the Congress was more loyal than Anglo-Indians themselves. He concluded his address by paying a graceful tribute to Mr. Bradlaugh and offering

a hearty welcome to him on behalf of the Congress.

The speech was well received. The references to the loyalty of the Congress evoked special enthusiasm. "The whole assembly laughed and cheered and clapped their hands with an excited delight, which showed how they echoed the sentiments expressed by the speaker." Such demonstrations by themselves, perhaps, do not mean much. No superlative effort is required to rouse an audience charged with emotion ; various circumstances lend an adventitious aid. But the speech earned the appreciation of a wider public, and the Papers next morning spoke of it as an eloquent and vigorous pronouncement. There was criticism, of course, of the point of view of the speaker, and of the distinguished President who followed him. One journal, by no means unsympathetic towards Indian national aspirations, remarked :—

“ Mr. Pheroza Shah Mehta yesterday spoke very confidently of the national spirit whose growth had been fostered by the Congress, and Sir William Wedderburn described the aims of the movement to be to revive the national spirit of the country. It was fortunate for both gentlemen that there was no *advocatus diaboli* at hand to ask them to define the meaning of the word. There never was a time when the term national

had any other than a local meaning in India.”

Two incidents in connection with this memorable Congress must be noticed here. One was an address to Mr. Bradlaugh on behalf of the Congress, in terms of a resolution moved by Pherozeshah on the second day of the session in response to a widespread desire. The drafting had been entrusted to Mr. W. C. Bonnerji, Mr. Adam and himself. The address was presented in the Congress Hall after the close of the session, in the midst of a vast gathering, which included a large number of members of the European community, drawn to the meeting by the remarkable personality of the great democrat. Addresses and caskets and tokens of all sorts had poured in from all parts of the country, and they formed a picturesque collection. The chair was taken by Pherozeshah, who, in a few chosen words, asked Sir William Wedderburn to present the address on behalf of the Congress. That having been done, Mr. Bradlaugh still weak and feeble from his recent illness, addressed the audience in words that went straight to the heart of his hearers. He spoke to them of their limitations ; he encouraged them to persevere ceaselessly, and he reminded them that great reforms had always been slowly won. “ Those who first enterprised them were called seditious, and sometimes sent to jail as criminals ; but the speech and

thought live on. No imprisonment can crush a truth ; it may hinder it for a moment, it may delay it for an hour, but it gets an electric elasticity inside the dungeon walls, and it grows and moves the whole world when it comes out." He concluded amidst considerable enthusiasm by declaring that he would always endeavour according to his judgment to promote greater happiness for India's people, greater peace for Britain's rule, greater comfort for the whole of Britain's subjects. The cruel hand of Death, however, was soon to dash these hopes to the ground, and to snatch away another of those rare individuals whose hearts throb for the wrongs and sufferings of their fellow-men under whatever sky they live, and whose love of freedom knows no geographical or racial limitations.

Another feature of the ' Bradlaugh session,' interesting in a different sense, was the manner in which the Congress responded to an appeal for funds for carrying on propagandist work. An Indian Political Agency had a short while before been started in England, and the various Standing Committees of the Congress had promised fixed contributions for its maintenance. Unfortunately, and there is no reason to gloss over the fact, many a staunch patriot in those days disliked the idea of putting his hands in his pockets, and the promised funds were consequently not forthcoming in two

or three centres, Bombay being among them. Not to pursue a sordid story in all its details, it is sufficient to say that Mr. Hume was obliged to write very sharply to Mr. Telang, Pherozeshah and other leaders, and the necessary remittances were thereupon sent. There, this unedifying story should have ended, but unluckily, some person, probably on the look-out for such incidents, got hold of Mr. Hume's caustic reminder, though marked strictly private and confidential, and published it. There were much rejoicing and jubilation thereat in the camp of Anglo-India, and its organs both here and in England made as much political capital out of it as they could manage. These attacks, malicious enough in spirit, but legitimate in political warfare, roused a general feeling that things should be so managed as to make such a reproach impossible in future. One of the last resolutions, therefore, of the Bombay session decided, among other financial matters, that a sum of Rs. 45,000 be raised for the expenses of the Congress work in this country and in England during the ensuing year. Speeches were made in support of it by Mr. Surendranath Bannerji and Mr. Eardley Norton, and a Madras delegate having promptly offered a thousand rupees, and Mr. Norton having added a thousand thereto, the hat was sent round and a handsome collection was made on the spot. A Congress deputation was also resolved



upon, and Messrs. George Yule, Adam, Mun Mohun Ghosh, Sharfuddin, J. E. Howard, Pherozechah, Surendranath Bannerji, R. N. Mudholkar, W. C. Bonnerji, Eardley Norton and Hume were appointed to represent in England the Congress view of political reforms. Of these, it may be noted in passing, the five last-named went and addressed a large number of public and private meetings, and rendered very useful services to the national cause. The memorable Congress of 1889 thus proved a most unqualified success from every point of view.

From the chairmanship of the Reception Committee to the presidentship of the Congress is a natural transition, and in Pherozechah's case it took place very rapidly. The very next year after the Bombay Congress, he found himself installed in the presidential chair in Calcutta, an honour than which there was then no higher to which a worker in the national cause could aspire. It was said by unfriendly critics that the honour was going a-begging, and that it was offered to Mr. Herbert Gladstone and several others before it fell to the lot of Pherozechah. However that may be, there is no doubt that the latter richly deserved the distinction which his countrymen conferred upon him. Though still in the prime of life, he had a record behind him of which older leaders might well have been proud. Despite the worries and

distractions of a busy practice, he had been able to associate himself with public movements touching the corporate life of the people at many points, and had made his mark in every one of them. In vigour of intellect, sanity of judgment, firmness of character and eloquence of expression, there were few to rival him in the length and breadth of the land. It was, therefore, in the fitness of things, that the politically-minded classes in all provinces should call upon him to guide their deliberations in the parliament which they had set up.

The election gave universal satisfaction. Public opinion was reflected in the Press, and many Papers contained appreciatory references to the President-elect. *The Bombay Gazette* wrote :—

“ In discussing the question of the presidency of the Congress some weeks ago, we named Mr. Pherozeshah Mehta as the most suitable President of the Congress if the choice were made from this side of India, and it will be a satisfaction to those who are interested in the success of the meeting that he is to preside over it. He is a candid critic of the administration, but his criticisms have always been marked by ability, and they are listened to with respect ; and those who believe in the Congress and those who do not, will

agree in thinking that it is to the public advantage that so competent an exponent of the progressive opinion of Western India should have been chosen for the occasion."

Other Bombay papers were equally appreciative, some praising Pherozeshah's oratory, others his fearless independence, while one critic dwelt with admiration on his personal appearance and bearing. The comments of *The Gujarati* may be singled out as giving the best presentment of the popular view of Pherozeshah's personality :—

" A better selection it would have been impossible to make, and we must heartily congratulate him upon the great honour bestowed upon him in recognition of the exceptionally independent attitude he has always taken in public life, and of his long and zealous public services. Gifted with great oratorical powers, endowed with a generous heart and highly trained intellect, possessed of a commanding voice and presence that enforces willing obedience, and eminently fitted by nature to be a leader of men, Mr. Mehta is bound to leave upon the assembled delegates and visitors an impression that it would be difficult to efface."

The Ripon Club, which he had founded in 1885 for social and semi-political objects, and which had at once taken a distinctive place among Parsi

Institutions in Bombay, gave him a banquet on the eve of his departure. The chairman, Mr. Sorabji Framji Patel, a well-known figure in commercial circles, exhorted young men to follow in the footsteps of the distinguished guest of the evening. Pherozeshah's reply was in the nature of a modest disclaimer. It is somewhat difficult to be modest when replying to a post-prandial eulogy of one's character and career. But Pherozeshah was in a happy vein, and gracefully he diverted the attention of his audience to two great Parsis, whose examples he said might be more profitably followed, Dadabhai Naoroji and Naoroji Furdunji, who bore respectively the proud titles of the Grand Old Man of India and the Tribune of the People. It was a whole-hearted tribute paid with delicacy to the two men after whom he said he had shaped his public career.

In Calcutta, Pherozeshah was received with the honours which are usually accorded to the President-elect. The national movement of which the Congress was the embodiment was rapidly gaining in strength and influence, and the attendance at the Calcutta session was large, as many as 8,000 people being present on the first day. The Chairman of the Reception Committee was his old comrade in arms, Mr. Mun Mohun Ghosh. After his speech of welcome, Sir Romesh Chunder Mitter, at one time acting Chief Justice of Bengal, the first Indian

to attain to such a proud position under the Crown, rose and proposed Pherozeshah to the chair in a brief speech. He remarked that by his brilliant career at the Bar and the conspicuous part he had played in public movements, the President's name had become almost a household word among the educated classes in India. A Mohamedan nobleman from Lucknow seconded the proposition. He was followed by Mr. Ananda Charlu of Madras, who observed that he did not intend to undertake "the proverbially thankless task of painting the lily, as Pherozeshah was known to all India equally." The proposition after being further supported was put to the vote, and was carried with acclamation, and Pherozeshah was duly installed in the chair.

The presidential address was in the vein characteristic of the Bombay leader. Uncompromising vigour, robust optimism and conspicuous fairness were its keynotes. There were no attempts at originality, no lofty flights of imagination. It was a sober, eminently practical and refreshingly vigorous presentment of the Congress cause. It was a sort of speech, which, with certain differences in phraseology, might have been made on the floor of the House of Commons from the Opposition front bench. After thanking those present for the honour they had done him, the President referred to the mischievous attempts

which had been made to isolate the Parsis from the movement. He declared his creed of nationalism in words which have often been quoted :—

“ To my mind, a Parsi is a better and truer Parsi, as a Mohamedan or a Hindu is a better and truer Mohamedan or Hindu, the more he is attached to the land which gave him birth, the more he is bound in brotherly relations and affection to all the children of the soil, the more he recognizes the fraternity of all the native communities of the country, and the immutable bond which binds them together in the pursuit of common aims and objects under a common government.”

The President next dealt with the charge which had often been levelled that the Congress was demanding full-blown representative institutions, which in England had been the growth of centuries. He showed that they had not learned the lessons of history so badly as to make any such foolish demands. They recognized the necessity and inevitability of a slow and cautious advance. If anybody could be charged with defying the teachings of history and experience, it was their opponents when they talked of sitting still and doing nothing, until such time as the masses were educated and able to understand their rights and privileges. Till then, apparently, their interests were to be left in

the safe keeping of a benevolent bureaucracy, which would look after them better than their own countrymen could be expected to do. In Pherozechah's opinion, these pretensions were ridiculous :—

“ We have also proved that, in spite of our education, and even with our racial and religious differences, the microscopic minority can far better and far more intuitively represent the needs and the aspirations of their own countrymen than the still more microscopic minority of the omniscient district officers, whose colloquial knowledge of the Indian languages seldom rises above the knowledge of English possessed, for instance, by French waiters at Paris hotels, which proudly blazon forth the legend ‘Ici on parle Anglais.’ ”

After some more sundry ‘sparring,’ Pherozechah turned to deal with the question which was most agitating men's minds at the moment, the reform of the Legislative Councils. He began with Mr. Bradlaugh's Bill, drawn on the lines sketched and formulated at the Congress. Two important results, he said, had flowed from the introduction of that measure. One was that it had evoked criticism of a most useful character, particularly from men like Sir William Hunter and Sir Richard Garth, which indicated the lines on which the Bill

needed to be modified. The next result was, that, "it at once dispelled the fit of profound cogitation, in which men at the head of Indian affairs are so apt to be lost, that they can never spontaneously recover from it." Lord Cross's Indian Councils Bill had promptly seen the light of day in the House of Lords. It was, however, a measure of a halting and unsatisfactory character. The Prime Minister and the Secretary of State seemed to have been pervaded with a conception of the Indian people as a sort of *Oliver Twist*, always asking for more, to whom it would be therefore a piece of prudent policy to begin with offering as little as possible. "The rights of interpellation and of the discussion of the Budget were granted, but the living forces of the elective principle which alone could properly work them, were not breathed into the organization of the enlarged Councils."

Lord Salisbury had sought to justify this grave defect in the Bill on the ground that the principle of election or government by representation was not an Eastern idea, and that it did not fit Eastern traditions or minds. Some portion of the address was, accordingly, devoted to exposing the fallacy of the Prime Minister's sweeping generalization. Pherozeshah showed on the authority of Sir Henry Maine and Mr. Anstey, as great a scholar as he was a lawyer, that some form of self-government had existed in this country from very remote times.



Our village communities are always held up for admiration, whenever the question arises of India's fitness for democratic forms of government. Our orators wax eloquent over many other institutions resurrected from an almost forgotten Past. These patriotic sentiments are good enough for party warfare, but responsible leaders have need to employ them with caution. Pherozeshah was, therefore, careful enough to observe that it was true that "circumstances never allowed the representative genius of the people to develop forms and organizations for higher political functions." But, he maintained, it was no less true that the seed and the soil were there, waiting only for the skilful hand and the watchful mind, which Congressmen believed they had secured in the presence of Englishmen in this country. Perhaps, the best answer to Lord Salisbury's preposterous dictum was that given by the *Manchester Guardian*, then, as now, the sturdy champion of a Liberalism, unflinching in its application to every part of the world :—

" Lord Salisbury's great argument is that the elective principle is not an Eastern idea. It is sufficient perhaps to say that English rule is not an Eastern idea, yet it prevails in India, and that it is by Western rather than by Eastern ideas that it is to be strengthened and made permanent. Representation is the mark of our political liberties."

It would be tedious to follow the presidential address in the many controversial points which it discussed with a touch which was inimitable. But an observation dealing with a well-worn argument deserves to be recorded. Referring to the parrot cry which the opponents of the Congress were uttering from a hundred points of vantage, that the voice of the Congress was but the voice of a section and not of the people, Pherozeshah observed :—

“ If the masses were capable of giving articulate expression to definite political demands, then the time would have arrived, not for consultative Councils, but for representative institutions. It is because they are still unable to do so that the function and the duty devolve upon their educated and enlightened compatriots to feel, to understand and to interpret their grievances and requirements, and to suggest and to indicate how these can be best redressed and met. History teaches us that such has been the law of widening progress in all ages and all countries, notably in England itself.”

The address closed with a note of that robust optimism, which always characterized Pherozeshah's utterances, and which sustained him throughout his arduous political career. He said he had

no fears that English statesmanship would not ultimately respond to the call. He had unbounded faith in the living and fertilizing principles of English culture and English civilization :—

“ All the great forces of English life and society, moral, social, intellectual, political, are, if slowly, yet steadily and irresistibly, declaring themselves for the choice which will make the connection of England and India a blessing to themselves and to the whole world for countless generations. Our Congress asks but to serve as a modest hand-maid to that movement, asks but to be allowed to show the pits and the falls, asks but to be allowed to join in the blessing which England will as surely earn as there is an ‘Eternal that maketh for Righteousness.’ ”

Loud and enthusiastic cheering greeted the conclusion of this eloquent and manly address. The impression produced in the country was extremely favourable. Here and there, however, some captious critic fastened upon one or two controversial points for the purpose of disparagement. *The Rast-Gofar* attacked the President for seeking to identify Parsis with the national movement. It hoped that the community would not accept his “visionary view,” and forget its individuality as a race. *The Times of India*

thought there was nothing new in what Pherozeshah had said, and that so far as the address to the National Congress was apparently a programme. Such critics apart, the opinion was that the speech gave "a key of moderation and good-sense to the deliberations of the Congress." Among other competent judges Sir William Wedderburn wrote and congratulated Pherozeshah upon the "weighty and appropriate address" which he had delivered. *The Bombay Gazette* was particularly gratified, that so far as the President was concerned, the extravagance of the pamphleteering stage of the movement had been abandoned, and that Bombay, in proposing the Congress with a President, had communicated something of its own spirit to the assembly.

The subsequent proceedings of the session of 189 call for little comment. They came to an end with the customary vote of thanks to the chair, proposed on this occasion by a Bengali lady. As Mr. Mohun Ghosh remarked, it was meant as a compliment both to the ladies and to the gallant President. The principal resolutions were of the usual order and covered a multitude of subjects. They were supported by speeches of considerable eloquence and ability, and if it were possible for a deaf wall of opposition to be battered down by rhetoric and argument, then much could the Congress have claimed to its credit during its chequered career.

But like the recommendation on the subject of the separation of judicial from executive functions, which Lord Dufferin had pronounced to be "a counsel of perfection," the annual appeals of the Congress, even when admittedly reasonable, continued to fall on heedless ears.

It would be profitless, therefore, to discuss the proceedings of the Congress. But there was one resolution which deserves a passing notice. It had reference to the question of the attendance of officials at the meetings of the Congress. A few days before the Calcutta session was held, the Bengal Government had issued a notification prohibiting its officers from attending it even as visitors. This had been followed by a letter from Mr. Lyon, the Private Secretary to the Lieutenant-Governor, to the Secretary of the Congress, returning some complimentary cards of admission which had been sent by the latter. Mr. Lyon stated that the orders of the Government of India prohibited the presence of Government officials at such meetings. Thereupon, the Congress passed a resolution authorizing the President to draw the attention of the Viceroy to this declaration, and to inquire whether the Lieutenant-Governor of Bengal had correctly interpreted the orders of the Government of India. The best observation on this occasion was that made by the President himself in putting the resolution

to the vote. He placed the matter in the proper perspective when he said that it was a question of very little importance to them. "It may involve the gravest discredit to Government, and we are bound to give them an opportunity of extricating themselves from the undignified and ludicrous position, if not worse, in which these precious orders apparently place them; but beyond this, so far as we are concerned, the matter having served to amuse us for an hour may be dropped." Loud cheers and laughter greeted this neat way of putting the matter, and an excited audience was put into good humour at once.

In accordance with the resolution, Pherozeshah put himself in communication with Lord Lansdowne. The reply that was received was a fine example of official ambiguity and circumlocution. Mr. Hume in a confidential letter to Pherozeshah characterized it as "a mere juggle of words." This letter of Lord Lansdowne was never published, as Mr. Hume urged Pherozeshah to withhold its publication, pending the result of the negotiations which were then going on. The Viceroy had asked Mr. Hume to see him, and a free and frank discussion had taken place between the two. The upshot of it all was that an official statement was made that the Bengal Government had misrepresented the orders of the Government of India, and that all that was prohibited was active participation in the

proceedings of public meetings. The communique went on to say that the Congress movement was regarded as perfectly legitimate in itself, and as "representing in India what in Europe would be called the more advanced Liberal party, as distinguished from the great body of Conservative opinion which exists side by side with it." The Government desired that its servants should observe an attitude of strict neutrality in their relations with both parties

This "candid and characteristically British declaration" gave general satisfaction in political circles, and silenced those critics who had expressed their jubilation at what they regarded as a snub to the Congress. When the Congress met in the following year at Nagpur, the Chief Commissioner, Mr. Anthony Macdonell, now Lord Macdonell, openly declared that so far as he was concerned, every official who wished it was at full liberty to attend the Congress as a visitor, and that he would think no better or worse of any officer who did or did not do so. The controversy might thus be said to have induced a saner policy on the part of Government, though it has not prevented occasional attempts being made by provincial administrations to guard their officials carefully against contamination from the Congress and its various activities.

## CHAPTER XIV.

### GOVERNMENT AND THE CORPORATION—ELECTION OF MR. DADABHAI NAOROJI TO PARLIAMENT— POONA PROVINCIAL CONFERENCE— JUNAGADH APPOINTMENT.

1890-1892.

IN April, 1890, Lord Reay laid down the reins of office amidst the general regret of the Presidency, whose fortunes he had guided with such conspicuous ability, courage and high sense of duty. He left an enduring monument behind him in the charter of local self-government which he was largely instrumental in giving to Bombay, the measures for the advancement of technical education which he carried out, and the spirit of progress which he generally infused into the administration. Bombay gave the departing Governor a send-off worthy of the man and his work. There was some talk that the European community would show opposition at the public meeting which was being organized, and the promoters became somewhat anxious. Pherozechah, however, was not disconcerted in the least, and showed himself quite



ready to fight it tooth and nail. But the opposition fizzled out, and the meeting was an unqualified success. Though Pherozechah differed radically from Lord Reay in some of his views on educational problems, he took a very active part in the demonstrations in honour of the retiring Governor, and himself drafted the address presented by the Bombay Presidency Association.

Shortly after Lord Reay left the country, the relations between the Government and the Corporation, never very happy, entered upon an acute phase. On the one hand was a bureaucracy with its traditional contempt for any other point of view but its own, determined to impose its will on an institution which was intended to be self-governing. On the other hand, was a Corporation which, led by Pherozechah and other stalwarts, was extremely jealous of its dignity and independence, and resentful of dictation from outside. Occasions for conflict were not wanting in those days, when many questions of policy had yet to be settled between the two bodies. One of such disputes was as to the relative responsibility of the Government and the Corporation for the cost of primary education in Bombay. We shall discuss the merits of the issue when we approach the consideration of its final settlement after a long and protracted controversy which dragged on for seventeen years, until it was laid at rest, chiefly through

the exertions of Pherozeshah. It is sufficient to note that on the present occasion, the discussion arose through a letter from the Government to the Corporation, raising incidentally the whole question of their respective obligations in respect of primary education. Under the Act, it was to be regarded as a joint liability, but in what manner the continually increasing responsibilities under that head were to be divided between the two bodies was not altogether free from doubt and continually led to disputes. The letter was referred to a committee, which guided by Pherozeshah, drafted a representation which refuted in detail the various contentions advanced by Government. When the report of the committee came up before the Corporation on the 17th July, 1890, a long discussion took place. The two sides of the case were presented with considerable ability by Pherozeshah on the one hand, and by Mr. Kirkham, an educationist of some eminence, on the other. Pherozeshah maintained that the duty of making provision for primary education devolved jointly upon the Government and the Corporation, and he was emphatic in maintaining that the latter would not spend an anna more than it was necessary to do under the provisions of the Act.

The report was adopted by the Corporation and forwarded to Government, who took the Advocate-General's opinion on the question of the legal liabi-

lity, and sent a reply covering all the points at issue. When the matter was again placed before the Corporation, Mr. Kirkham attempted to get his colleagues to accept the principles enunciated in the reply in question. But Pherozechah not being present, the Corporation wisely decided to refer the letter to the same committee, which had considered the question on the previous occasion. It was not till the February following that another full-dress debate took place in the Corporation. The committee had made a strong report at the end of which it had expressed a hope that Government would see their way to dispel an impression which was gaining ground, that the introduction of the new policy of local self-government was being turned from its real purpose into a means of shifting new burdens from the shoulders of Government to those of local bodies without the transfer of equivalent revenue. In moving the adoption of the report, Pherozechah made a speech, masterly in its exposition of the principles underlying the question, and in its analysis of the obligations imposed on the Municipality by the Act. It carried the day, in spite of Mr. Kirkham's able advocacy of the Government view, and the proposition was passed by an overwhelming majority.

The controversy was carried outside the Corporation, and the two antagonists expounded in the Papers the position they had taken up. Pheroze-

shah's view was that Government had done very little for primary education, when the liability was on their shoulders alone, as was the case up to 1888. Now that it was a joint responsibility, they had become very liberal in their ideas, and wanted the Corporation to bear all sorts of burdens, which they themselves were not willing to share. Mr. Kirkham's contention was that the obligation which rested upon the Municipality was statutory, and had to be adequately discharged, irrespective of any other consideration. In other words, municipal funds were to be saddled with an ever-increasing burden, which Government themselves had never shown a disposition to shoulder. That the Corporation was saved from such an indefinite liability was mainly due to the skill, resourcefulness and determination with which Pherozeshah stood up for its rights in the matter.

Another subject on which the Corporation joined issue with the Government was with reference to the provision of a hospital for infectious diseases. Government wrote to the Corporation asking them to provide such a hospital, and in the event of failure to carry out the requisition, threatened to use a 'bludgeon' clause provided in the Act of 1888, which empowered them to take the necessary steps, and to recover the cost from the Municipality in a court of law. When this letter was placed before the Corporation, Pherozeshah,

in moving that a committee be appointed to draft a reply, remarked that the manner in which the requisition had been made upon them showed that "the entity talked of as Government was composed of gentlemen who were open to human frailties like themselves, or in other words, that they had lost their temper. If that was not the case, they could not understand why those gentlemen should resort to the use of what he might call such an inartistic instrument as the 'bludgeon.'" He proceeded to argue the case on its merits, and after some opposition, got the Corporation to accept his proposal. *The Pioneer*, in commenting on these proceedings in an article headed "Municipal Hysterics in Bombay," sought to connect the controversy between the Government and the Municipality, with the agitation which was then going on in the Parsi community regarding the Rajabai Tower tragedy. It darkly hinted at the mischief done by a disturbing Parsi element in the discussions in the Corporation. One of its Bombay contemporaries remarked on this that such a way of interpreting events was a little too imaginative for people on this side of India. Referring to Pherozezshah, it reminded the Allahabad journal that though one prominent member of the community had certainly taken an active part in formulating local resistance to Government demands, he had had no share in the agitation

which the Rajabai Tower Case had set on foot, and had, on the contrary, deprecated the excitement, which the community had worked itself into over that tragic incident, about which he held very decided views opposed to those of his co-religionists.

The committee drafted a strong representation, which was ultimately forwarded to Government. In their reply, the latter complained of the want of respect shown to them, and adhered to the position they had taken up. When the matter came again before the Corporation in December, 1891, the leader of the House, as Pherozeshah was then recognized, in "an able and very exhaustive speech as long as *Paradise Lost*, which occupied the whole of the sitting" (as a newspaper report stated), moved for the appointment of a committee to draw up an appeal to the Government of India against the orders of the Bombay Government. He said that in his opinion it was not straightforward on the part of Government to turn from being a party into being a judge. Government in effect had said, "as we failed to persuade you to do this, here is a 'bludgeon'; so out with your money." But there was also a 'bludgeon' in the hands of the Corporation, although it was only for defensive purposes, and the Government would find that if they treated the Corporation in the manner they were doing, and insisted on the maintenance of the hospital, the Corporation would

agree to do it, but would deduct the cost from the amount of their voluntary contribution to the Goculdas Tejpal Hospital.

Mr. Roughton, a well-known solicitor, and an active member of the Corporation, and some others were for taking counsel's opinion in the matter and carrying out the requisition, if they were so advised. Pherozechah, however, in replying on the debate, emphasized the necessity of appealing to the Government of India, and recalled the success of their representation years before to the Secretary of State in the matter of the C. D. Act. He felt that it would be unworthy of the Corporation to do anything that would bring an undeserved stain on its fair name and fame. He spoke warmly, because he felt very keenly about the matter. It was natural for the European members to regard, perhaps, his warmth as excessive. But he asked them if they would not resent similar treatment, if some local body in their own country to which they happened to belong were treated in what they might consider an arbitrary manner.

The speech was received very well, and made out such a formidable case that the proposition was carried by a very large majority. Not for the first time, did the Corporation, by accepting the guidance of its capable and resolute leader, save itself from a position of humiliating surrender, and assert its independence in matters within its

province. It was, perhaps, like dashing one's head against a stone wall, but the pluck, independence and resourcefulness shown by Pherozeshah were the subject of general admiration. His old friend, Mr. Hume, was particularly appreciative :—

“ Long as it was, I read every word of the report of your speech, which appeared to me unanswerable. Of course, you will be beaten: there is no contending against a despotism. But the stand you have made is an object-lesson to the whole country, and will in its way do as much good as any Congress ; and I must congratulate you on the admirable manner in which you worked the opposition.”

Mr. Hume's anticipations were verified. The Government would not budge from the position they had taken up, and in October, 1892, for the first time in the history of local politics, the 'bludge' clause was applied and the Corporation bullied into submission to a high-handed indefensible proceeding.

Pherozeshah's ascendancy in the civic chamber at this time was undisputed. Few proposals which encountered his hostility had a chance of being carried, and Commissioners thought twice before they crossed swords with him ; they felt comfortable when they secured his support for their policy and measures. As one of them wrote, if Pherozeshah failed to be convinced about any question, the probability



was that the Corporation would fail to be convinced as well. A proud position for anyone to occupy, and a dangerous one in the case of a lesser man. Be it said, however, to the lasting credit of Pherozechah that he never abused the power he had won by sheer force of character, ability and devotion to civic affairs. One characteristic of his was particularly notable. Though continually fighting against those in authority, he was always anxious to render unto Cæsar the things that are Cæsar's. He never lent himself to bitter or unreasonable criticisms of the executive, but stood up as its champion whenever he thought it was unfairly treated. On one occasion, he publicly rebuked a close friend and colleague for hastily imputing unfairness of conduct to the Commissioner, and strongly urged the Corporation to mark its disapproval of such methods of argument. Jealous as he was of the authority of the Corporation, he was equally insistent on the maintenance of the position and dignity of its officers. He commanded their respect no less, therefore, than that of the Corporation which, as an exasperated Commissioner once remarked, consisted of a "mass of raw, ignorant, inexperienced and exceedingly self-confident members, who can be influenced in any direction so long as it is retrogressive, and doubly easily if it involves animadversion on that executive, which they look on as their natural enemy !"

## II.

One of the most notable events in the political history of modern India was the election of Mr. Dadabhai Naoroji to Parliament in 1892. By persistent and heroic efforts, the little "Black Man," as he was dubbed by the Marquis of Salisbury, had at length succeeded in effecting a breach in the jealously guarded citadel of St. Stephen's. The electors of Central Finsbury had yielded to his untiring energy and determined purpose, and to their eternal honour had returned him to Parliament as their representative. The news sent a thrill of joy through the length and breadth of the land, and in every quarter there were demonstrations of the pride and satisfaction with which the people regarded the remarkable triumph of their countryman. A public meeting was held in Bombay under the auspices of the Bombay Presidency Association on the 23rd July, 1892, when Sir Dinshaw Petit was in the chair. The Governor, Lord Harris, wired a graceful message that he had much pleasure in placing the Town Hall at the disposal of the organizers of the meeting. The principal resolution was moved by Pherozeshah. He described the struggle upon which Mr. Dadabhai Naoroji had been engaged as a Seven Years' War, the opening campaign of which had taken place in the rooms of the Association in 1885, when the important

decision had been reached to carry the war, as it were, into the enemy's country. The speaker recalled with pardonable pride that on that occasion he had strongly advocated the taking of Indian questions into the arena of party politics, a view which, though unsupported at the time, had since found acceptance with Dadabhai and other political associates. He claimed that that policy had been amply vindicated, and he reiterated his conviction that there was no salvation for India until Indian questions were sifted in the fierce light of party contention.

After this preliminary discourse, Pherozeshah turned to pronounce a handsome eulogy on the political *rishi*, at whose feet he had sat with a number of other young men who had since distinguished themselves. Referring to the comments of *The Pioneer* and other kindred critics, who have never felt a generous impulse towards the people of this country, and who did not see in the event anything remarkable or romantic, Pherozeshah observed in a passage of sustained eloquence :—

“ But it may be pardoned to us, if nurtured in some of the noblest traditions of English history, we allow ourselves for a moment to be carried away by sentiment, if we venture to contemplate with some degree of emotion and reverence the spectacle of a native of India entering that very

assembly in which, in terms of immortal eloquence, Burke and Fox and Sheridan pleaded the cause of righteousness in the government of this country, where Macaulay saw in dim but prophetic vision the dawn of that day which may bring us our political enfranchisement, where Bright and Fawcett and Bradlaugh raised their voices for justice to millions of voiceless and alien people."

Pherozeshah saw in the event a cause for deep thankfulness, a practical proof of the vitality of that policy of righteousness which, in spite of many drawbacks and backslidings had still retained predominance as the declared and guiding policy of the Crown in India. Nothing was more calculated to stimulate and strengthen the loyalty of the Indian people than to find that the theoretical privileges which they were supposed to possess as subjects of the Queen were capable of being transmuted into facts. The speech closed, amidst loud and continuous cheering, with an expression of the confidence felt by Indians of all classes, that whatever the veteran champion of India might achieve, or fail to achieve, in Parliament, he would earn for himself the unstinted respect, affection and admiration of the millions whose cause he had so valiantly served for well-nigh half a century.

*The Bombay Gazette* remarked that the fellow-citizens of Mr. Dadabhai Naoroji had honoured

themselves as well as the member for Central Finsbury by the enthusiastic demonstration in the Town Hall in commemoration of his election to Parliament. Referring to Pherozeshah's vindication of the policy of making Indian questions party questions, the journal said :—

“ We may venture to point out that the admission of one member within the sacred precincts of the House of Commons after a Seven Years' War does not of itself demonstrate the wisdom of the new departure which, at the instance of Mr. P. M. Mehta, brought Indian questions within the sphere of English party politics.”

A correspondent, signing himself “Rusticus,” wrote in a lighter vein to the Paper his impressions of the meeting, for which we may well find a little space :—

“ I read all the great speeches at the great meeting to pass complimentary resolutions to Finsbury and Dadabhai with delighted wonder. Most of them were coherent ; even W—— only allowed himself to drop into poetry once, with a quotation as exasperatingly recondite and inapposite as most of the flowers he culls upon Parnassus are. Mehta was confident that he was not exaggerating when he affirmed that the election of Dadabhai had sent a thrill of satisfaction

through the heart of every man, woman and child in India. I was confident that he was, so I sent for my *syce* and asked him whether his bosom had thrilled on that eventful 7th July. He said that it had not appreciably. I wandered into the *chavda* of a village, where the village elders meet to discuss politics and *Kasumba*, and I asked the grave and reverend signors what they thought of Dadabhai. 'Alas ! they knew not of his story.' I make Mr. Mehta a present of these results of independent research, in the faint hope that in future he will modify the exuberance of his generalizations."

Whether every man, woman and child was affected or not by the news of Dadabhai's election to the House of Commons, the depth and universality of the popular feeling could not be questioned. It found its culmination some time later in December, 1893, when the Grand Old Man came for a brief spell to his native land to preside over the Lahore Congress. The remarkable demonstrations which took place on that occasion have had no parallel in our day. As Pherozeshah, in a speech delivered at a mass meeting of welcome of the citizens of Bombay and the mofussil, observed with reference to Dadabhai's landing on these shores, and his subsequent triumphal progress, "it was not the numbers of the people who turned out to greet him ;

it was not the rows of vehicles which followed the carriage in which Mr. Dadabhai rode ; it was not the assembly of the rich and the wealthy, the educated and the enlightened, which gave to the demonstration its rich human interest. That interest lay in the fact that the artisans, the labourers and the workmen, they, their wives and their children—all came out glad and rejoicing to see the face of the Apostle of India.”

Speaking a day later at Poona, where Mr. Tilak and his friends had organized a meeting of welcome at which Pherozeshah was called upon by the audience to make a speech, he declared that he regarded the demonstrations as in the nature of the dawning of a political regeneration, the awakening of a political feeling. It had often been said that Indians had no political consciousness in them. The reception accorded to Dadabhai in Bombay and Poona was a sufficient answer to the charge. The truth of these reflections was brought home even more clearly by the extraordinary outburst of enthusiasm, which later greeted the Grand Old Man in the capital of the Punjab. A graphic account of the demonstrations with which he was greeted at almost every station, large and small, *en route* to Lahore where he went in company with Mr. Wacha, appeared in the columns of *India* in 1894, and may till be read with interest. It may safely be said that there has been no parallel to

these demonstrations in the political history of our times.

### III.

In October, 1892, Pherozeshah was elected President of the fifth Bombay Provincial Conference, which was to be held at Poona in the following month. His inaugural address wandered over a wide range of subjects, and was marked as usual by incisive logic and mordant humour. A large portion of it was taken up with a vigorous refutation of the contentions advanced in an address delivered some time before by Mr. Lee-Warner, an inveterate enemy of Indian aspirations. The question uppermost in the minds of people at that moment was the proposed enlargement and reform of the Legislative Councils. Mr. Lee-Warner in his address had trotted out the familiar bureaucratic slogan that social and moral reform must take precedence over political regeneration, and that the Indian demand for representative institutions was contrary to the laws of nature, and unwarranted by the lessons of history. "No representative assembly," he said, "whether of the nation or of the country is complete, without the presence of those whom in India you would describe as low castes. I cannot fill in the description in greater detail, but I think you will admit



that the healthy growth of the representative system implies a ground prepared by not merely phrases, but by the constant action and re-action of equality, fraternity and self-sacrifice, welding together a nation, before a Council to represent a nation can be thought of."

This has been for more than a generation the burden of the song of a host of narrow-minded reactionaries, and of even a few honest critics with cramped vision, unable to realize the truth of that simple and yet profound observation that it is liberty alone which fits men for liberty. In the speech just referred to, Pherozeshah examined the argument in the light of English history, and had no difficulty in showing that it did not support the learned lecturer's sweeping generalizations :—

"It is clear that the lessons of English history are against Mr. Lee-Warner's speculations. If England had waited, as according to him it ought to have, till a full representation of the lower classes and the masses was secured, before thinking of a Parliament, then we should have never heard of the English Parliament at all. It is unscientific, it is unhistorical to talk of not having a representative assembly at all, till only a complete one could be had. The laws of nature, as well as the lessons of history.

both teach us that beginnings may well be incomplete and inadequate, that too much must not be made of fanciful difficulties about the rights of minorities and lower classes, and that the work of completion should be left to time."

Fortunately for the cause of Indian reform, the political lucubrations of Mr. Lee-Warner and others of that ilk had not found support among British statesmen, and the Indian Councils Act had become law in May, 1892. The elective principle had been recognized, and though its precise application to the then conditions of India had been left to the Viceroy, Mr. Gladstone had declared that the representation should be of "a genuine living character." Indian agitation had thus achieved a triumph, and though it was very a minute concession to Indian sentiment, the effects produced were of the most beneficial character, and proved the opponents of the elective principle—among whom were some staunch friends of India like Sir Richard Garth, one of the most eminent judges who have ever sat on the Indian Bench—to be entirely in the wrong. The system of nomination may occasionally give us a Ranade, a Telang or a Pheroze-shah, but that it is vicious in principle and opposed to the spirit of democratic institutions needs no demonstration at the present day.

The next point dealt with in the presidential

address related to the question of education. As has been observed before, the attitude of Government towards the problem has witnessed many changes. It is strange to think in these days of meticulous control, that there was a time when the State, for reasons which it is not far to seek, seriously contemplated leaving the growth and management of higher education in the hands of the people themselves. The spread of primary education was trotted out as the supreme need of the hour, to which all other considerations had to be subordinated. This new-found zeal for the schooling of the masses was in reality intended to cover a sinister attempt to throttle the growth of higher education, which was turning out a daily increasing number of inconvenient critics of the policy and methods of Government. As Pherozeshah observed, under cover of fine phrases and sentimental cant, a retrograde step of the most mischievous character was being gradually taken. His views on the subject were very pronounced: he had advanced them from many a platform, and he gave expression to them once again on this occasion :—

“ Now, gentlemen, I make bold to say that there cannot be a greater misappreciation of the problem of Indian education, and one more fraught with disastrous consequences, and more opposed to every consideration of sound policy, than to hold that

primary education is the question of the day in India. It may be, and it is, the question of the day in England and Europe, where centuries have laid up a munificent provision for higher education. But in India, in the peculiar circumstances in which she finds herself, it is not primary, but higher education that is the question of the day. I ventured to advance this view in a paper read by me before the East India Association in 1867. It is now more than ever necessary to enforce that same view."

The speaker with his keen judgment clearly realized the import of the new policy. He perceived that it was entirely premature to talk of retiring in favour of private enterprise, while Indian schools and colleges were so imperfectly equipped and endowed, and he had no hesitation in characterizing the manœuvre as an attempt to slacken and retard the progress of higher education. The address closed with a few observations on the progress of local self-government, and the desirability of giving the mofussil municipalities within certain limits a constitution based on that of the Bombay Corporation. It was an utterance calculated to enhance Pherozeshah's political reputation, and to confirm him in the public estimation as the ablest and most fearless critic of the administration on this side of India. His conduct of the proceed-

ings was equally successful, his handling of the heterogeneous elements composing the gathering being firm and tactful to a degree. The Indian Press, with one or two exceptions, was very appreciative. *The Kaiser-i-Hind* wrote :—

“ The presidential address delivered by that *beau sabreur* of Indian intellectualism, no other than the brilliant Mr. P. M. Mehta, raised, as if by magic, the Conference from the dull and humble platform of narrow provincialism to the bright and lofty pedestal of broad and vivifying nationalism. The extremely interesting address in which he endeavoured to review the three important topics of absorbing national interest in which every province of the empire is concerned, was exactly the sort of introductory exhortation that was needed to usher in the proceedings of the fifth Conference.”

*The Gujarati* was equally appreciative, if less exuberant. It dwelt with admiration on the ability, tact and judgment with which the proceedings of the Subjects Committee—the true test of a president's capacity—had been conducted, and it characterized the inaugural speech as one of the most instructive Pherozechah had ever delivered. *The Gujarat Mitra* was disposed to regard it as “ a remarkable masterpiece of senatorial elocution, and a specimen of the rare art

of calling a spade a spade. There are passages of burning eloquence and piquant outspokenness, which might perhaps render one mindful of parallels from the miscellaneous and parliamentary orations of Macaulay, and the Conference may well be proud that one of its annual sessions was presided over by a public speaker of Mr. Mehta's culture and brilliancy." Altogether, Pherozeshah's reputation, high as it stood, was distinctly enhanced by the part he played in the deliberations of the Poona Conference.

#### IV.

If Pherozeshah was in the front rank of public men in India at this period, the position he had achieved in his profession was, as we have seen, one of no less eminence. He had never much of a practice on the Original side of the High Court, the strain and worry of which were unsuited to his temperament. His work lay chiefly in the Appellate division and in the mofussil, where his services were eagerly sought after on his own terms. His advice was constantly sought by the native princes, particularly the chiefs of Kathiawar, who valued his powerful advocacy and able draughtsmanship very highly in the disputes which they had among themselves, or with the suzerain

power. When, therefore, the Junagadh Durbar was looking out for an officer for reorganizing its judicial administration, its choice immediately fell on Pherozechah, and the appointment was offered to him, and accepted in October, 1892. The order appointing him Special Councillor to the State contained a reference to his services to the country, and a graceful acknowledgment that it was difficult to get a more suitable incumbent for the office. The appointment was made for two years, during which he was to complete the reorganization of the judicial machinery of Junagadh, and the salary was fixed at Rs. 2,000 per month. It was arranged that Pherozechah was to spend six months every year in the State, and that he was free to pursue his other avocations when he was not engaged in the work of his office.

The Junagadh Durbar might well have congratulated itself on the appointment, which carried with it a promise which was amply fulfilled in the short period during which Pherozechah was in office. As Judicial Councillor, it fell to his lot to preside over a Commission appointed by the Nawab for the trial of some 79 persons charged with complicity in the Prabhas-Patan riots. Seldom has a State trial been conducted with the ability, patience and judicial fairness with which the Commission carried out its onerous task. In the end, 18 persons were convicted, and considering that they

had been nine months in jail as under-trial prisoners, they were sentenced to light terms of imprisonment. The judgment was a model of judicial exposition, showing a power of sifting evidence and a grasp of detail characteristic of the president. As an English journal remarked "the annals of the Native States would be searched in vain for records of a State trial so carefully and impartially conducted."

The post was relinquished after a tenure of two years. It is difficult to understand how Pheroze-shah was led to accept it. There was general agreement that it was the State that was to be congratulated, and not the Councillor whom it had secured. The salary which the appointment carried could not have been an inducement to a man who could otherwise earn it many times over. The only reason why Junagadh was able to secure his services appears to lie, therefore, in the opportunities which Pherozechah thought he had for carrying out constructive work of an important character. And he was not quite disappointed, for he was able to leave his mark on the judicial administration of Junagadh by the Act which he drafted, which laid down the powers and jurisdiction of the various courts. When he retired, the Nawab presented him with a handsome souvenir in grateful recognition of his eminent services to the State.



## CHAPTER XV.

IN THE BOMBAY COUNCIL—DEATH OF MR.  
TELANG—PARLIAMENT AND SIMULTANEOUS  
EXAMINATIONS.

1893.

WE must pass over some of the events which crowded upon each other at this period. The endless discussions about the police charges, the controversy over the appointment of an Executive Engineer for the Municipality, the curtailment of the Government grant to the University, these and other matters held the public attention at the time, but cannot be regarded as of more than ephemeral interest. They served, if possible, to emphasize the dominant position which Pherozeshah had established for himself in civic affairs. By his great gifts and devotion to the interests of the city, he had become by this time a virtual dictator in the public life of Bombay. People from all parts of the Presidency sought his advice on all manner of public questions, and on one occasion, Lord Harris paid him the compliment of consulting him about the choice of the Municipal Commissioner. As yet, however, his

influence in the country had not attained the height which it was destined to achieve a few years later. It was only from the Congress platform that Indian leaders could get the ear of their countrymen in various parts of India. Their influence was consequently more provincial than national.

Wider vistas, however, were now to open out before them with the enlargement of the Councils which took place in 1892. It is true, the representation conceded was of a very limited character, and the powers entrusted to the popular element were rigidly circumscribed. But the reform gave the representatives of the people their opportunity, if only of criticizing the administration, and interest in the proceedings of the Council became at once more keen and wide-spread.

The first non-official member in all India to be elected to the new Councils was Pherozeshah, who was unanimously chosen by the Corporation—which had been given the right of returning one member—as their representative at a meeting held on 4th May, 1893. Sir Jamsetjee Jejeebhoy in proposing his election referred to his commanding abilities, and long and varied experience of the needs of the people. Mr. Javerilal Yajnik, in supporting the proposal, recalled Lord Reay's flattering testimony to the services rendered by Pherozeshah in connection with the Municipal Bill. Mr. Wacha,

with the devotion of a close friend and faithful follower, added his testimony, and in doing so, could not resist the opportunity of reminding the Corporation that it was Pherozechah who was really the author of the scheme of self-government which was adopted in the Act of 1872, and maintained in its essential features up to the present day, and that the claims put forward sometimes by over-zealous friends on behalf of Mr. Sorabji Bengalee and others in this connection were not justified by the facts.

The proposal was carried with acclamation, and Pherozechah obtained a seat which always continued to be at his disposal, and which no one, even amongst the most ambitious, ever dreamt of contesting with him. The general opinion was that a better selection could not have been made. *The Times of India* voiced the public feeling when it wrote on the day following :—

“ In yesterday choosing Mr. Pherozechah M. Mehta for recommendation to Government, it (the Corporation) made what most people will regard as an inevitable choice, and it was an additional advantage that the selection was made unanimously. We shall not allow our own occasional differences from Mr. Mehta on most unimportant points of public policy to stand in the way of a cordial appreciation of his

capacity and public spirit. He has always been a vigilant and sometimes a severely candid critic of Government, but he stands altogether apart from the impracticable and irreconcilable school of *intransigents* who are somewhat noisily claiming a hearing now-a-days, and who are a hindrance rather than a help to all attempts at sober and effective criticism of the administration. Mr. Mehta has found supporters and eulogists amongst all sections of the municipal chamber, and he is too broad-minded a man not to see in that fact an intimation—if the intimation be needed—that he will go into the Legislative Council as the representative, neither of a race nor of a clique, but of the citizens at large.”

Among the many messages of congratulations and good will that poured in upon Pherozeshah was one from the people of Nagpur, who, at a public meeting held on the 24th June, 1893, expressed their profound satisfaction at the election to the Councils of their respective provinces of such stalwarts of the national movement as W. C. Bonnerji, Lal Mohun Ghosh, Surendranath Bannerji and Pherozeshah. In communicating the resolution to the last-named, the President of the Standing Committee of the Congress in Nag-

pur, referred in flattering terms to his leadership in the Congress camp, and the prominent position he had all along occupied in its deliberations, and assured him of the warm regard of the people of the Central Provinces, who desired to see him returned to the Supreme Legislative Council. This hope was soon to be realized.

The first meeting of the Local Legislative Council was held on the 27th July, 1893, at Poona, where the Government of Bombay find it necessary to seclude themselves for more than four months in the year. The chosen few who had found admission into the sacred portals of the Council Hall were there, eager to grasp with both hands the opportunities which had been opened out to the representatives of the people. Among Pherozeshah's colleagues were Messrs. Ranade, Naoroji N. Wadia and Chimanlal Setalvad. The right of interpellation and discussion of the Budget conceded for the first time, was exercised by them with a freedom and knowledge, which must have silenced those scoffers who held the representative principle in contempt.

Lord Harris, in opening the proceedings, welcomed the members, and reminded them that their object was to get through the maximum of useful work with the minimum of unnecessary debate. Whether as a result of this gratuitous

piece of advice or otherwise, the orations in this first Council meeting, compared to the exhausting performances which became the vogue in later years, were brief and to the point. Pherozeshah's criticisms were mostly confined to questions relating to the Government grant to the University, the contribution of the Corporation to the City Police Force, and the cost of the separation of judicial from executive functions. On all these points he spoke with an earnestness derived from his keen interest in the subject.

On the subject of the Police charges, Pherozeshah avoided all reference to the much-vexed question of the liability of the Corporation which was then pending before the Secretary of State. It had given rise to a great deal of bitterness between the Government and the Municipality, both of whom had shown themselves unbending in their attitude. Not until the unhappy arrangement made under the Act of 1888, by which the Corporation had to shoulder three-fourths of the cost of maintaining the City Police, was modified in 1907, and the Corporation was freed from the liability for Police charges in return for taking over the full responsibility for the provision of primary education and medical relief, did the squabbles between the two bodies come to an end. On the present occasion, Pherozeshah confined himself to a few items of the contribution sought

to be levied from the Corporation. He objected to the latter being held responsible for any portion of the cost of maintaining the Police for functions which did not strictly form part of their legitimate duties. His view was, that so long as the Government held that the rights and privileges which the Corporation enjoyed must be strictly construed according to the law, the Corporation should strenuously resist any burdens which were not expressly cast upon it by the Act.

Another subject on which Pherozeshah dwelt in his first Budget speech had reference to the eternal question of the separation of judicial from executive functions. Lord Dufferin had declared the Congress proposals in this behalf to be "a counsel of perfection," and they had been blessed with the approval of more than one Secretary of State for India, and had been endorsed in a closely-reasoned contribution on the subject by no less an authority than Sir Richard Garth. But counsels of perfection are often very long in being adopted ; what is theoretically sound is too frequently condemned as being impossible in practice. In the present instance, when all other arguments were exhausted, the advocates of the reform were confronted with the question of cost. In the speech in question, Pherozeshah briefly outlined a scheme, which he urged would actually result in economy.

He would do away with the criminal jurisdiction of Assistant Collectors and Mamlatdars—who, according to him, were devoting only a very small portion of their time to criminal work—and transfer it to Subordinate Judges. The increase in the number of the latter would be counter-balanced by the reduction in the number of the former. He illustrated his point by taking one district, and showing how the arrangement would work in practice.

This was too good an opportunity to be lost for the display of administrative wisdom, and various members of Government pounced upon details of the scheme and Pherozeshah was subjected to a mild heckling. But he stuck to his position, and maintained that the scheme was as practicable as it was sound, and while increasing efficiency would actually effect economy. During the Budget discussion of the following year, he returned to the attack and urged Government to appoint a committee for the purpose of considering the feasibility of his proposals in so far as they would affect one particular district. But the Government remained unconvinced.

In the meantime, Pherozeshah had prepared a memorandum on the subject, which he submitted for the consideration of the 6th Provincial Conference, which was held at Ahmedabad on the 1st November, 1893. In this memorandum, he



expressed himself strongly about the evils of the system :—

“ Nobody, who is not intimately acquainted with the daily life in villages and small towns, can have an adequate conception of the intolerable hardship which the continuance of magisterial powers in Revenue officers entails upon the people. The great bulk of the masses are rendered unhappy enough by the way in which life is made a burden, not to the rogues, but the honest folk by the practical working of the Salt, Opium, Abkari, Forest, Arms and Land Revenue Acts with their infinite rules and regulations hedging the people round in all directions ; but vexatious and harassing as these laws are, they would not be nearly so intolerable if all resistance to their unjust and oppressive enforcement were not practically rendered impossible by the ingenious device of combining the Prosecutor and the Magistrate in one and the same person. Under these Acts, everything is guarded by prosecutions at every step ; and these prosecutions, initiated and countenanced by executive officers, are tried by Mamlatdars and Magistrates, who are all, again, executive officers. Those who have practical knowledge of the system

are aware how naturally these prosecutions, however absurd and vexatious, end in convictions. Indeed, the general feeling about the matter is that the Mamlatdar or Magistrate, who valued his own interests and prospects, dare not indulge, except rarely, in the luxury of an acquittal."

It appeared to Pherozeshah that the real obstacle in the way of the desired reform lay not in the cost of the change, as was so often urged, but in the fact that executive officers were not willing to consent to a measure which they thought would materially diminish their power and importance. That really must be regarded as the motive power of the determined opposition which the bureaucracy has offered to the inauguration of a reform, blessed in principle by the highest authorities in England and in India. Never was a case more convincing than that for the separation of judicial from executive functions, and well might its advocates have looked forward to an early realization of their hopes. Little did Pherozeshah, therefore, imagine when he drew up his memorandum in 1893, that twenty years later the question would still remain unsolved, and he would have to stand up on a platform, urging the same arguments and considerations which had been urged a hundred times before, and to which there never has been a convincing answer.

## II.

The closing day of the first session of the enlarged Bombay Council was darkened by an event which cast a gloom over the city. The versatile and cultured Telang passed away in the prime of life on the 1st September, 1893. He was in the earliest band of brilliant Elphinstonians, who, having gathered the fruits of Western education, had devoted themselves to the advancement and uplifting of their countrymen under the guidance of Dadabhai Naoroji, and had sowed the first seeds of a national awakening. Many great names rise before one in recalling the memory of that period of pioneering activity in various directions. In that illustrious roll, the name of Telang occupies an honoured place. As a scholar, lawyer and politician, he won equal distinction, and his elevation to the Bench when he was less than forty, was a well-deserved recognition of his high character and attainments. His death in the prime of life came, therefore, as a personal blow to thousands of people in all parts of the country.

The news was carried to the Legislative Council on the last day of the session, and cast a gloom over the proceedings. Lord Harris expressed on behalf of himself and his colleagues the keen regret felt by all at the loss of "a deeply read scholar, a great lawyer and a wise judge." The Governor

was new to his office, but his predecessor had enjoyed the benefit of Mr. Telang's wise counsels, and had learnt to respect his powerful advocacy of the popular view, particularly during the debates on the Municipal Act. His death was equally a loss to the Government and the people.

At the memorial meeting held in the Town Hall on the 6th October, the presence of a large and distinguished gathering under the presidentship of Lord Harris testified to the warm regard and esteem in which Mr. Telang was held by all classes of people. Pherozeshah and Mr. Ranade as they entered the Hall were given a great reception. The Chief Justice, Sir Charles Sargent, was to have presided, but a suggestion having been made that the Governor should take the chair, His Excellency had written to Pherozeshah that though he considered it very undesirable that the Governor should preside at meetings held to perpetuate the memory of distinguished citizens, he had so great an admiration for the abilities and character of Mr. Telang that he was willing to associate himself with the public meeting. The tributes paid on the occasion by Mr. Telang's friends and fellow-workers were generous, and inspired by that warmth of feeling which his engaging personality evoked in the hearts of all who came in contact with him. Contrary to the general expectation, Pherozeshah

would not speak on the main resolution, contenting himself with merely moving a vote of thanks to the president. In doing so, however, he explained to the audience with some emotion that with the recollections and associations of so many years crowding on the mind as they could not but do in that Hall and with those surroundings, any endeavour to speak of him as he was, large in heart and brain, so soon after his loss in the prime of manhood and in the plenitude of his powers, could only lose itself in that bitterest of Pagan cries as to 'the mystery of the cruelty of things.' The speaker recalled the occasion on which his deceased friend and he had made their first appearance, as "raw and humble recruits in the public cause," in that very Hall at a meeting held under the presidentship of the then Governor of Bombay for the purpose of forming a volunteer corps. Since then they had fought together many a battle, and their close association in public life had ceased only with the elevation of Mr. Telang to the Bench, four short years before his death. It was with a very full heart, therefore, that Pherozeshah spoke of his departed friend and fellow-worker in the short speech which he made at the memorial meeting. Little did he imagine that one after another many other comrades were to follow, leaving him almost alone in his last days to carry on the work of national regeneration.

## III.

A few days before the new Councils met, the question of simultaneous examinations for the Civil Service again occupied public attention. The unwearying efforts of Dadabhai Naoroji and the small band of Englishmen whom he had inspired with some of his love and enthusiasm for India, at length succeeded in gaining from the highest legislature in the land the just recognition of the demand of Indians for an adequate share in the administration of their country. On the memorable 2nd of June, 1893, a motion was carried in the House of Commons: "That all open competitive examinations heretofore held in England alone for appointments to the Civil Services of India, shall henceforth be held simultaneously both in India and England, such examinations in both countries being identical in their nature, and all who compete being finally classified in one list according to merit."

The fortune of the ballot gave Mr. Herbert Paul the privilege of moving the resolution, and he did it with a lucidity and persuasiveness which overcame hesitation and indifference, and secured a narrow majority in a somewhat thin House. Mr. Dadabhai Naoroji was one of the "tellers" for the resolution, and according to a chronicler, "the House of Commons could not fail to see his intense delight on being

handed the paper recording the principle for which he had worked with indefatigable industry during so many years." The division list showed that 84 members had voted for the resolution and 76 against, the minority including almost all the occupants of the front Treasury benches.

The result was hailed throughout this country with jubilation as a signal triumph of the principle for which educated India had been fighting for nearly a generation. And when the Prime Minister, Mr. Gladstone, announced after some deliberation that His Majesty's Government intended to accept the resolution and to ask the Government of India to take action accordingly, hopes ran high in the hearts of those who had laboured for the cause for nearly a generation. The general enthusiasm received a set-back, however, when gradually opposition began to manifest itself in influential quarters against the acceptance of what was regarded as nothing more than a snatch vote. Public meetings were, consequently, held all over the country in support of the resolution, and as a counter-blast to the official agitation against the introduction of a change, which was calculated to strike at the root of the Englishman's monopoly of power. Bombay was not behind the rest of the country, and a crowded meeting was held in the Framji Cowasji Institute on 15th July, 1893, at which Pheroza Shah presided. Among the

speakers were Mr. Gokhale, Mr. Javerilal Yajnik and other prominent men. Besides the question of Simultaneous Examinations, the Home Military Charges of India were also discussed at the meeting.

In his remarks from the chair, Pherozeshah asked the audience to remember that experience had proved that whatever hopes and chances India had were to be found sooner or later in Parliament alone. He saw it as an augury of hope that the Secretary of State, the Earl of Kimberly, had been obliged to declare that the question of Simultaneous Examinations—which was fondly supposed to have been throttled, and to have received its last rites at the hands of the Public Service Commission—required to be reopened and re-examined in its entirety:—

“ This is no small gain ; and it seems to me, gentlemen, that it now rests with us, the people of India, to get this hope transformed into an accomplished fact. If we will be only true to ourselves, if we will only do our own duty, then Simultaneous Examinations are soon bound to be a fact and a reality. (Cheers.) When I say this, I am not unmindful of the circumstance that the capacity of the Government of India for delay and procrastination is as boundless as its promptitude on such matters as the Gaggling and the Currency Acts is as



great as lightning. (Shame.) But the inherent strength of our case is bound to prevail in the end, now that the question has been re-opened and the attention of Parliament fully drawn to it."

With a few other observations, the Chairman turned to the question of the Home Military Charges, showing a consideration for other speakers not often to be seen among those who find themselves first in possession of a platform. His remarks on the subject were brief and telling. He characterized the treatment meted out to India as a grave scandal. Lord Northbrook, whose sympathies were always alive, had shown by facts and figures in the House of Lords that in a period of fourteen years, India had been compelled to pay four millions sterling for charges which did not concern her. Nothing could be more eloquent than these figures, and it was as well that Pheroze-shah left them to tell their own tale. There was no need to elaborate the story of the "melancholy meanness" of which British statesmen have so often shown themselves capable, in spite of all the unctuous protestations about the lofty purpose of England's mission in India.

The English papers in reviewing the proceedings of the meeting fastened upon the admission made by Pheroze-shah, "with the good sense which seldom fails him, though he sometimes

does his best to hide it under a bushel," that it was necessary to have a large admixture of Englishmen in the Service to ensure the carrying out of English rule on English principles. Their comments were characteristic, and a typical passage may be quoted to show the point of view from which the question was regarded by those whose interests it affected. After remarking that the advocates of Simultaneous Examinations would not "take off their coats" for the change if they thought that it would only mean the gain of a few collectorates by the alumni of Indian colleges, *The Times of India* went on to observe in its leader of 18th July :—

"Lord Kimberley, weighing well his words, declared the other day that the foundation of our administration in India must rest upon that great European Civil Service which we have so long maintained. Is there to be a predominance of Englishmen, large enough to give tone and colour and character to the civil administration? If that is so, what is the use of this agitation for facilitating the admission of a few more Indian candidates? Or is there to be, as Mr. Mehta would say, merely an admixture, large, but not large enough, to ensure that the character of the Service shall be predominantly British? The

question is important, for it involves nothing less than the quality and tone of the civil administration of this country."

The "great European Civil Service" is still with us in all its plenitude of power, blind for the most part to the forces that are surging around it, sullen and resentful of the changes that are sweeping over the land. How far it will shed its traditional habits of thought and its proud spirit bow to the inevitable in the new era that is about to dawn, time alone can tell.

## CHAPTER XVI.

### WORK IN THE IMPERIAL COUNCIL.

1894-1895.

WITH the creation of the enlarged Councils under the Act of 1891, Pherozechah emerges into a larger arena. His activities in the Congress, the University and the Corporation had given him already a commanding position among the public men of India. But it was not until he found admission into the Supreme Legislative Council, that his brilliant intellect and remarkable powers of debate obtained their proper field of exercise, and disclosed to the public the full force of his personality.

The election took place in October, 1893. According to the rules framed under the Indian Councils Act, the non-official members of the Provincial Legislative Council had the right of sending one representative to the Viceregal Council, and their choice unanimously fell on Pherozechah. *The Gujarati* in commenting on the appointment expressed the general feeling in terms which were by no means exaggerated:—

“The election of the Honourable Mr. P. M. Mehta to the Supreme Legislative

Council by the unanimous voice of the elected members of the Provincial Council, was of course a foregone conclusion. A gentleman whom an indigenous Government would have delighted to honour by inviting him to the State Council, whom even the most enlightened constituency would have chosen as its representative to voice its grievances and requirements, and who in a free country like France or England would have deservedly occupied the foremost position in the State has for some reason or other remained outside the Viceregal Council. . . . The whole country from one end to the other, will receive the news of the elevation of the Honourable Mr. Mehta with the sincerest feelings of satisfaction, and we only pray that he will be spared long to continue the useful and disinterested work which his patriotic impulses have led him to undertake."

An honour of a different kind was conferred on Pherozeshah shortly afterwards, and a short digression must be made in order to notice it. The New Year's Honours List of 1894 contained the announcement of the conferment of the C. I. E. on the eminent Bombay leader. The news was as gratifying as it was unexpected, for the tin-gods of Simla do not always smile on those whom the

people love to honour. As for the distinction, it was very modest indeed, and was long overdue. But such as it was, it gave general satisfaction, and there was a chorus of congratulations from all quarters. *The Times of India*, not always a friendly critic, wrote :—

“ Mr. Pherozechah Mehta's nomination to a Companionship will be approved of by all except the *Intransigents* amongst native politicians, who, being certain themselves never either to deserve or obtain distinction of any kind, pretend to think lightly of dignities and titles. Mr. Mehta has of late shown an increasing independence of the reckless rhetoricians who pretend to serve their country by embarrassing and abusing the men who are governing it, and we may be sure always will be an outspoken as well as an able critic of Government, both here and in the Supreme Council. But there is a criticism which is helpful alike to the governors and the governed. We look to him to do his part in supplying it, and it is for that reason that we are glad to see that he has been singled out for the modest distinction that the Honours List bestowed upon him yesterday.”

Here and there, some unpleasant things were said about Government for their inadequate and

belated recognition of merit. Thus the *Indu Prakash* was of opinion that the C.I.E. was "a crumb thrown to the Congress party." The vast majority, however, of Pherozeshah's friends and admirers were genuinely pleased. Sir Frank Forbes Adam, the staunch municipal reformer, and one of his oldest colleagues, wrote to him from Manchester that Government was to be congratulated on having added to the dignity and lustre of the Order by the inclusion of his name. Mr. William Digby, who was doing yeoman service to this country in England, expressed himself in a similar strain: "The Order is enriched and ennobled when such patriots as you are decorated." The High Priest of the Parsis, Dasturji Jamasji Minocherji, in congratulating Pherozeshah on the election to the Supreme Council and the conferment of the C. I. E., conveyed to him the widespread desire of the priestly community to do honour to one who had distinguished himself in so many walks of life, and who had shed lustre on the class to which he belonged. The 'Athornans,' he said, gloried in the fact that they had produced a Dadabhai Naoroji; not less proud were they that a Pherozeshah Mehta also belonged to their class, and they desired to give expression to their gratification by an address which was to be subscribed to by all sections of the priestly community.

The estimation in which Pherozeshah was universally held, evidenced by these expressions of appreciation of the honour done to him, was greatly increased by the splendid work he did in the Supreme Council. On the numerous questions that came up before that body, he spoke with an ability, fearlessness and mastery of argument which delighted his many admirers all over the country. He introduced indeed a new spirit into the Council, and while the country applauded, officialdom was furious at the change of tone and temper in the Opposition which he brought about.

The first measure of importance, in the discussion of which Pherozeshah made himself felt, was the Cotton Duties Bill, which came up for consideration in the Imperial Council in December, 1894. We have dealt with the circumstances under which Lancashire was allowed to plunder India in 1879 by the abolition of the Cotton Duties. With the advent of Lord Ripon, a robust Free-trader, and aided by the prosperous condition of the finances in 1882, all import duties were abolished, except on salt and liquor, by the then Finance Minister, Sir Evelyn Baring. Financial exigencies, however, rendered necessary in 1894 the practical restoration of the tariff of 1875, under which everything had to be imported at a 5% duty. That the Lancashire interest might not suffer thereby, Sir Henry Fowler, who was then the presiding deity at Whitehall,



imposed an excise duty of 5% on all cotton yarns below 30s, to which the Government of India had to yield, eliciting from the *Times of India* the remark that the forces of China had not surrendered more helplessly before their pursuing enemies than Lord Elgin's Government had done before a masterful Secretary of State. For a full history of this discreditable measure, we must turn to the proceedings of the Legislative Council, when Mr. (afterwards Sir) James Westland, Finance Minister of the day, introduced the Cotton Duties Bill. It was well known that he was opposed to the measure, and the anomalous position in which he and other members of the Council were placed, raised a very interesting constitutional question. Sir Griffith Evans, a distinguished member of the Calcutta Bar, maintained that a member of the Council was unfettered in the vote he gave. Pherozeshah was of opinion that the ultimate responsibility in all matters rested with the Secretary of State and his Council, and that the members of the Government of India could not well come in conflict with the latter. This view was endorsed by the Viceroy in his speech in summing up the debate.

When the report of the Select Committee on the Bill was presented by the Finance Member, Mr. Fazulbhoy Visram, in his day one of the best-known figures in the commercial world of Bombay,

moved an amendment with a view to raising the excise limit. In supporting the amendment, Pherozeshah strongly attacked the principle underlying the Bill.

“ That principle and that policy are that the infant industries of India should be strangled in their birth if there is the remotest suspicion of their competing with English manufactures. . . . I protest against such a policy not only in its present immediate operation, but as establishing a most pernicious precedent.”

He urged the ‘ additional members ’ of the Council to preserve their dignity as an independent body by voting against the Bill. He reminded them that the existing financial stringency was due not a little to the Services having secured exchange compensation, and that Englishmen had joined Indians in agitating for the imposition of duties on cotton imports in order to meet that deficit. If after that, they refused to support the modest amendment of Mr. Fazulbhoy Visram, calculated to succour a native industry from being harassed and burdened, they laid themselves open to an ugly suspicion about their motives.

This dig at the Exchange Compensation Allowance, which popular opinion had vehemently opposed, was strongly resented by Sir Charles Elliott, Lieutenant-Governor of Bengal, who

protested against the language used by Pheroze-shah, and expressed his regret that any imputation of personal interest should be allowed in the Council. Ultimately, the amendment was defeated by eleven votes to nine, and "for the first time in the history of British rule in India, a measure was placed upon the statute book which no one has ever dreamed of defending as being promoted in the interests of the country affected by it."

In the next session of the Council held in January, 1895, one of the first items of business was an amendment of the Deccan Agriculturists' Relief Act. It was in 1879, that the first Act dealing with certain incidents of agricultural distress and discontent was passed after an agitation which lasted for some years. The Indian Press and Indian publicists had continually called the attention of Government to the rigidity of the land revenue system, which, coupled with the ryot's ignorance and illiteracy, had reduced him to a condition of wretched poverty. As persistently, the revenue officials had disregarded the cry for reform. It was not until the ryots driven to desperation resorted to the somewhat unconventional method of cutting off wholesale the noses of their oppressors, the money-lenders, that the Government awoke to the realities of the situation. A Commission was ultimately appointed under the chairmanship of Sir James Caird, an

authority on the subject, and after repeated attempts on the part of revenue officials to shelve its recommendations, the Government of India realized their responsibilities, and an Act was passed dealing with a phase of a problem which had become acute.

Regarded as a somewhat dangerous experiment, the Deccan Agriculturists' Relief Act had proved eminently successful, and had been considerably improved from time to time in the light of the experience gained of its working. Several Commissions had been appointed since its enactment, and they had suggested various changes in the law. The amendment now before the Council was prompted by the report of a Commission, issued in June, 1892, which, while advocating several improvements in the Act, had expressed its conviction that a load of debt had been taken off the ryot's shoulders without demoralizing him or shaking his credit, and without ruining the money-lender.

In moving the Bill to a Select Committee, the Hon'ble Mr. Lee-Warner briefly gave his reasons for not undertaking a larger measure for the relief of agriculturists throughout the country, such as had been recommended by the Commission appointed in 1891. He was followed by Pherozeshah, who directed his attack against the limited scope of the Bill before the Council. He had fortified himself with

the opinion of perhaps the best authority on the subject, Mr. Ranade, who, added to his vast knowledge of the economic conditions of the masses, had acquired as Special Judge an intimate acquaintance with the working of the Deccan Agriculturists' Relief Act. Pherozeshah began by conceding that as a measure of judicial relief the Act had largely answered its purpose. It had brought justice nearer to the home of the ryots, and the justice done was substantial and equitable to both parties. But, he added, such legislation did not go to the root of the matter of the ryot's indebtedness :—

“ The ‘ soukar ’ is not the head and front of the offence. The Commission of 1891 has pointed out that the rigidity and inelasticity of the revenue system have much to answer for. Though it is open to revenue officers to grant remissions and suspensions, and though the Government of Lord Ripon advised a policy of well-judged moderation in this respect, in practice the rigidity and inelasticity are not slackened. As the executive will not thus move, is it not necessary that there should be some provisions in the Act by which, just as there are special courts to adjudicate equitably between the ryot and the usurious ‘ soukar,’ there should be special courts to do the same between the ryot and the rigid state-landlord ? ”

Later in the debate, Sir Antony Macdonell stated with reference to these remarks, that measures were under contemplation for the equitable adjustment of the relations between the ryot and the Government. What has been done, however, in this connection has not been of a character to evoke enthusiasm. It is somewhat significant that a bureaucracy which poses as the protector of the masses, and has persistently derided the claims of the educated classes to represent them, has systematically opposed all attempts on the part of the latter to soften the rigidity of the land revenue system, which yields to Government twenty million sterling a year, and which is said to have turned it into the largest landed proprietor in the world.

Another Bill which provoked a lively debate was that dealing with an amendment of the Cantonments Act of 1889. The manner in which it was introduced in the Imperial Council raised in an acute form the question of the constitutional relations between the "Great Moghul" at Simla and the less imposing but perhaps more irresponsible autocrat at Whitehall. Before 1888, under the provisions of the Contagious Diseases Act, there had been in force in India a regular system of registration, licensing and periodical examination of the unfortunate women attached to military cantonments. Public attention having been roused in England to the conditions

obtaining under this system, the matter was brought before the House of Commons, which, on the 5th June, 1888, passed a resolution that "in the opinion of the House, any mere suspension of measures for the compulsory examination of women, and for licensing and regulating prostitution in India is insufficient, and the legislation which enjoins, authorises or permits such measures ought to be repealed." It may be mentioned that the English Contagious Diseases Act had already been repealed owing to the outcry which was raised against the state regulation of vice.

Out of deference to the above resolution, the Contagious Diseases Act was repealed in September, 1888, and in the following year a new measure, the Cantonments Act was passed in the Legislative Council, and rules were framed thereunder shortly afterwards. In 1892, the Free Church of Scotland and other religious bodies sent in protests to the Home and Indian authorities, stating that the old system was being carried out under the new rules. After the usual official denials, it was ascertained that there were some grounds for these complaints, and a departmental committee was appointed to inquire into them. The committee reported by a majority that the only effective method of preventing the systematic practices which had grown up was by means of express legislation,

such as would carry out the intentions expressed in the House of Commons resolution, and which would replace the executive orders which had been abused in practice. The Secretary of State having agreed with the opinion of the majority, the present Bill was introduced into the Legislative Council. The Legal Member in charge of it had admitted at the time of its introduction that it was a Bill which had been brought forward "by direction of Her Majesty's Government with the object of complying, if the Legislative Council should think fit to do so, with the requirements of the majority of the Commission which sat on the question of the examination in cantonments."

When the Bill came up for second reading, Sir Griffith Evans criticized the manner of its introduction, and dealt at some length with the position of the Council in relation to the Secretary of State for India. He protested against the latter's assumption of a legislative initiative which he did not think the constitution of the Indian Government intended he should assume. The Secretary of State had done so by virtue of his supreme executive control, but it was unconstitutional and in the nature of a usurpation, and if it was persisted in, it would lead to the straining of the whole machinery of the Government of India. Mr. Playfair, who followed Sir Griffith Evans, entered on behalf of the Bengal Chamber of Com-



merce whom he represented, an emphatic protest against this invasion of the constitutional rights and duties of the Legislative Council. He felt that if the independence of the Council was to be invaded by the Secretary of State, and the relation of its members to him was to be reduced to the level of Court assessors whose opinion must be listened to, but need not be accepted or allowed any weight in the decision of the case, the sooner the duties and privileges of the Council were defined by a new Act of Parliament, the better for all concerned.

These spirited criticisms of the action of Whitehall undoubtedly lifted the debate from the region of the common-place. But the point of view of the two eminent representatives of Bengal, though argued with considerable skill, was not quite correct. It was left to Pherozeshah to distinguish clearly between the vast and almost autocratic powers of the Viceroy in certain spheres, with his subordination to the Secretary of State in others. He stated by enunciating a principle which admitted of no dispute, *viz.*, that the government of the country was really in the hands of the House of Commons, which exercised its authority through ministers who possessed its confidence. The Secretary of State had the authority of the House to sustain him, and the responsibility to carry out its behests by all lawful means open to

him. August as the office of the Viceroy was, it could not be said it was independent of Parliament. This subordination was perfectly consistent with the possession of a large and preponderating measure of influence, which the opinions and recommendations of so highly placed an official could not fail to command in the final decision of Indian questions. Pherozeshah, for one, accepted this constitutional position without any regret. He did not believe in the theory of "the man on the spot," and he regarded the ultimate control of the House of Commons exercised through the Secretary of State as a more or less wholesome influence on Indian polity.

"So far as the natives of this country are concerned, we must take care not to be carried away by the bait of so tempting a phrase as Home Rule. Home Rule to us, for a long time to come, can only mean the substitution of the rule of the Anglo-Indian bureaucracy for that of the House of Commons and the Secretary of State as controlled by it. Under either rule, the country cannot always be safe against the occasional attacks of powerful interests, but after all it is safer to rest upon the ultimate sense of justice and righteousness of the whole English people, which in the end always asserts its nobility, than upon the

uncontrolled tendencies of an officialdom trained in bureaucratic tendencies, and not free from the demoralising prejudices incident to their position in the country."

These sentiments expressed a political conviction born of native intuition and long experience. The wisdom underlying it has been demonstrated times without number. Officialdom in India has ill disguised its dislike of what it has regarded as meddlesome interference of busy-bodies supremely ignorant of Indian conditions. It has always wanted a free hand in its dealings with a people whom Destiny has committed to its paternal care. Experience, however, has shown the supreme wisdom of having some outside control of the bureaucratic machine. The question has now become one of practical importance in view of the changes which are imminent in the relations of the Government of India with the Secretary of State. A united demand has gone forth that the Central government should be freed from the control of Whitehall to just the same extent as it is made responsible to the will of the people, and no more.

After his lucid discourse on the constitutional aspect of the measure before the Council, Pheroze-shah went on to deal with the genesis of the Bill, and showed that it was merely designed to give statutory form to that which was already the subject of rules and regulations, which in practice

had given rise to various abuses. At this point, he laid his finger on a grave defect of Indian legislation, *viz.*, the practice of reserving to executive authorities the power of making rules and regulations to provide for matters which ought to be included in the Acts themselves. Under such a system, according to him, assurances and undertakings are made to take the place of definite provisions, which are either forgotten, or what is more dangerous, interpreted in all sorts of wonderful ways. The history of Indian legislation provides abundant instances—not the least notable being the Morley-Minto Reform scheme—of Acts charged with liberal intentions being shorn of all their progressive character by the reservation to Government of an indefinite power of making rules and regulations. That is why in the great constitutional changes with which the name of Mr. Montagu will be imperishably associated, some provision has been made to minimize the possibility of their being wrecked by executive interference.

The Viceroy, in winding up the debate on the Bill, deprecated the introduction of abstruse constitutional questions in the discussion of measures which in themselves excited strong feelings. For himself, he was too proud of being allowed to sit as a member of the Council not to wish to maintain its credit in every possible way, but he felt at the same time that the vote of every individual mem-

ber should be given under the responsibility of doing nothing to dislocate the complicated machinery by which this great empire was governed. The Bill was referred to a Select Committee, and having been modified to meet the objections raised against it, it was passed unanimously at the February sitting of the Council.

The activities of the legislative machine did not end here. It had several more Bills to grind out. We shall only notice one of them, which was the subject of severe criticism in the Council and outside, and which gave rise to an explosion of temper on the part of the Finance Member, which rendered Pherozechah famous through the length and breadth of the land. This was a Bill for the amendment of the Police Act of 1861. Under that Act, the Local Government was empowered to quarter a punitive police-force in any district which was found to be in a disturbed or dangerous state, and to recover the cost from the inhabitants thereof generally. The amending Bill sought to enable the authorities to recover the cost in certain cases from the turbulent section only, and not necessarily from all the inhabitants. It also sought to make it possible to levy contributions from absentee owners of property, when their action caused or contributed to the disturbed state of the locality. There were two other important alterations proposed, namely, the power

to levy compensation for injury caused by the misconduct of any party, and to regulate processions which were likely to lead to a breach of the public peace.

Such was the Bill against which public opinion had emphatically expressed itself since its introduction in October of the previous year. On the side of the Opposition was to be found a somewhat mixed company, which, wonderful to relate, included the "European and Anglo-Indian Defence Association" of Ilbert Bill fame. Inside the Council, the strongest critics were the Maharaja of Durbhunga and Pherozeshah, who, notwithstanding the plausibilities of the mover of the Bill, Sir Antony MacDonnell, had no difficulty in showing up the true character of the innocent-looking measure. Under cloak of redressing a wrong, it was in fact an attempt to invest magistrates with extraordinary powers in supersession of the ordinary Courts of law. They were to have a free hand in singling out individuals for punishment. The guilty and the innocent were equally at the mercy of the executive. Those who lived in the disturbed area were just as much liable to punishment as absentee land-lords, who might be hundreds of miles away. The measure was in fact nothing else than an attempt, as Pherozeshah characterized it, to convict and punish individuals without a judicial trial, under cover

of executive measures for the preservation of order. This was an opinion which was not confined to noisy agitators, but, unfortunately for Government, was shared by some of its own officers. The language employed by Pherozechah, and which raised a little breeze in the Council Hall, creating an atmospheric disturbance which was felt far and wide, was, therefore, none too strong. Said he :—

“ My Lord, I cannot conceive of legislation more empirical, more retrograde, more open to abuse, or more demoralizing. It is impossible not to see that it is a piece of that empirical legislation so dear to the heart of executive officers, which will not and cannot recognize the scientific fact that the punishment and suppression of crime without injuring or oppressing innocence, must be controlled by judicial procedure, and cannot be safely left to be adjudged upon the opinions and moral certainties of men believing themselves to be capable, honest and conscientious . . . . Empirical and retrograde as it is, this new proposed legislation would be no less demoralizing to the executive officers concerned. I have not the least desire to speak disparagingly of executive officers, most of whom, I have no doubt, are anxious

to perform their duties conscientiously and to the best of their ability. But it would be idle to believe that they can be free from the biasses, prejudices and defects of their class and position."

In support of his criticisms Pherozeshah cited the opinions of several experienced officials who had the courage to recognize the dangerous character of the proposed legislation. He wound up with the observation that it was no doubt the first duty of a Government to put down all attempts to disturb and break its authority, and the British Government had the strength to do it, but that strength was not always usefully employed in devising harsher and harsher measures, and it showed at its best when it was tempered with calm discrimination, tact and sympathy. The Maharaja of Durbhanga, who followed next, was no less emphatic in his condemnation of the measure, though his tone was less severe. He repudiated the necessity of the Bill, and urged the Government not to adopt the Irish statutes as their model. Criticism of this character, coming from one who could not be regarded as a professional politician anxious for a little cheap popularity, must have caused a great deal of embarrassment to the Government 'bloc.'

Then rose Sir James Westland, furious at the thought that anyone should venture to speak so



irreverently as Pherozeshah had done of the idols of the official hierarchy. Sacrilegious hands had been laid on their fair name and reputation, and the Finance Member felt horrified at the idea. His petulant outburst, the echoes of which were heard for a long time to come, may well be quoted in full :—

“ As the first member of Your Excellency’s Executive Council who has an opportunity of speaking after the extraordinary observations which have fallen from the Honourable Mr. Mehta, I desire to enter a protest against the new spirit which he has introduced into this Council. I have never heard the conduct of the administrative officers of the Government, as a whole, mentioned here without admiration of the qualities they bring to the execution of their duty, and their anxious endeavour to do their work with even-handed justice. To-day for the first time within the walls which have been distinguished by the presence, through half a century and more, of the most eminent of the executive officers of Government, who have contributed to the framing and the consolidation of the Indian Empire, I hear them all arraigned as a class as biassed, prejudiced, utterly incapable of doing the commonest justice, and unworthy of being relied on to

do the duties which this legislature imposes upon them. From Your Excellency downwards, every executive officer falls under the ban of the Honourable Member's denunciations, and I for one protest against any Honourable Member so far forgetting the responsibility he owes to his position as to take advantage of it to impugn, by one general all-comprehensive accusation, not only the capacity but even the honesty and fairness of the members of a most distinguished Service—a Service of which it is my pride to have been a member. Their reputation is too well established and too widely recognized to suffer from the calumnies directed against them. The Indian Empire itself is the witness to the capacity they show in the administration of their duties ; it would not last for one year if there were any truth in the accusations now made. I feel sure I can claim the concurrence of every member of Your Excellency's Council, in utterly dissociating myself from the remarks which have been made, and which I conceive to very greatly detract from the reputation which this Council has justly acquired for the dignity, the calmness and the consideration which characterize its deliberations.”

This extraordinary outburst was quite uncalled for, and Pherozeshah immediately repudiated any intention of indulging in such general charges or imputations as the Finance Member had placed in his mouth. The incident set the country a-talking for weeks together. Sir James Westland's petulant criticisms had the effect, unexpected by their author, of bringing about a keener appreciation of the great work done by the Bombay member in the reformed Council. It was felt that a "new spirit" had indeed been at work. The frank, free and fearless criticisms of Pherozeshah were felt to mark the beginnings of a new era in politics. It was a novel experience to find the acts and policies of the Government held up in their very presence to a merciless examination both as regards their intention and their methods. It was reckoned as something to the good of the modest measure of reform which had converted the Legislative Councils from being mere machines for the registration of official decrees and fiat into assemblies where the people's voice could be heard and a little daylight let into the mysterious processes which surround Government measures. It was the recognition of the elective principle in the creation of the Councils, for which educated public opinion had fought so strenuously, that had made this possible. *The Tribune* of Lahore in its issue

of 30th January, 1895, put the issue very clearly in commenting in terms of cordial appreciation of the work accomplished by Pherozeshah :—

“There is one voice in the Imperial Legislative Council which has struck a note not yet heard inside the walls of the Council chamber. When the Hon. Mr. P. M. Mehta scornfully spoke of the exchange compensation during the debate on the Tariff Bill, the members of the Executive Council and very high officials winced for the first time. What they had been accustomed to read in newspapers, and to find in reports of public meetings, which they never attended, had at length broken through the inviolability of the Council hall, and the strong clear voice of fearless criticism rang upon their ears for the first time. For the first time also, the public saw what stuff some of the highest officials are made of . . . . Sir James Westland unconsciously uttered a great truth when he spoke of the new spirit introduced by Mr. Mehta into the Council. Yes, there is a new spirit, not introduced by Mr. Mehta, but which has first found utterance through him. The new spirit was introduced by the Act of 1892.”

After remarking that previous to the passing

of that Act, every member owed his nomination to the favour of the Executive Government and was expected to be grateful, and that pliant men were generally honoured with seats on the Legislative Council, the paper went on to utter some home-truths with regard to the Council of which Sir James had spoken with so much pride. The article ended with a warm appreciation of the part played by Pherozeshah in the evolution of the new order of things :—

“ The voice that has been so long shut out from the Council Chamber—the voice of the people—has been admitted through the open door of election. It is a very weak voice as yet, but there is ample indication of its potentialities. Mr. Mehta speaks as the representative of the people, and not as the nominee of the Executive Government, and he is not a man to be frowned down or brow-beaten by the Finance Member or the Viceroy. Sir James Westland’s protest is the outcry of the bureaucrat rapped over the knuckles in his own stronghold. Mr. Mehta deserves the warm gratitude of all his countrymen for being the spokesman of the new spirit in the Legislative Council.”

It would be tedious to dwell over the passage of the Police Bill into law. It emerged from the

Select Committee modified in a few particulars, but retaining most of its objectionable features. As Pherozeshah observed, some paint and some powder had no doubt been used to soften the features, and new and flowing habiliments had been thrown over the gaunt spectre. But for all that, it remained essentially a measure designed to give District Magistrates, ostensibly for the purpose of prevention of crime and for the preservation of law and order, wide and autocratic powers, which would in practice be exercised by the police on whom the magistrates had by force of circumstances to lean very largely. The Bill in its final stages had a somewhat rough passage. The thin lines of the Opposition led by Pherozeshah advanced again and again to the attack, but they left no impression on the solid phalanx that was arrayed against them. As Pherozeshah observed with a touch of biting sarcasm, on whichever side might be the arguments, the votes were certainly on the side of the Honourable Member who was in charge of the Bill. Amendments after amendments pressed by Pherozeshah, Babu Mohini Mohun Roy, the Maharaja of Durbhanga and Mr. Gangadhar Rao Chitnavis, the *doyen* of the Council whose existence has just been terminated with the passing of the Government of India Act of 1919, were thrown out, and the Bill passed into law substantially as it stood, and fresh weapons

were added to the armoury of a police notorious for its corruption.

In the record of Pherozeshah's activities in the Council at this period, a brief reference must be made to the role he played as the spokesman of enlightened Hindu opinion on the question of the restitution of conjugal rights. The English ecclesiastical law provided for imprisonment as a method of compelling a refractory wife to obey a decree for restitution. Before 1877, it was very doubtful whether such a law could apply to India. In that year, the Law Member, Mr. Whitley Stokes, the author of the famous work on the Anglo-Indian Codes, seized with a desire for uniformity, introduced the clause for imprisonment in the Civil Procedure Code, which was then being amended. A large proportion of the lower classes in India found the change very welcome, and made considerable use of the procedure sanctioned by the law. This went on for some years until the famous Rukhmabai case brought out in an aggravated form the hardship inflicted in individual cases by the enforcement of the provision for imprisonment. There was a considerable agitation over the matter, and Government decided to take the first opportunity of amending the law so as to make imprisonment discretionary. Accordingly, when the amendment of the Civil Procedure Code was taken in hand in 1894, a clause was

inserted in the Bill to that effect. In the Select Committee, however, orthodox Hindu opinion triumphed and the clause was deleted.

When the Bill came up for discussion on the 28th February, 1895, Pherozeshah moved for the re-insertion of the clause in a modified form, whereby the Courts were empowered to order in fit cases that a decree for restitution should not be enforced by imprisonment. He disclaimed all desire to meddle with so peculiar and complex a system of social life and religion as Hinduism, as he held that whatever reforms might be desirable and necessary should be left to be developed by the action of time and education. What he sought to do was to remove an excrescence which had been engrafted upon Hinduism by an extraneous jurisprudence, and he maintained he was representing the best Hindu opinion on the matter, the opinion which might, for instance, have been put forward by men like the late Mr. Justice Telang. He did not agree with those who believed that "the distinguishing features of the Hindu social system as regards the relations of the sexes were distrust and depression of women." The Council, however, was influenced by the strength of conservative feeling manifested in and out of it against the change, and though Sir Alexander Miller and some other official members appeared to be in sympathy with the spirit of the



amendment, the only member to support it, besides the mover, was Mr. Chitnavis, and Pheroze-shah found that he was really not voicing, as he claimed, the conservative and orthodox view of the matter.

This record of great work accomplished during a strenuous and memorable session may fittingly be brought to a close with a reference to the Budget debate. Under the Indian Councils Act of 1892, the submission of the financial statement to the Council provided practically the only opportunity of criticizing the administration and influencing its policy. It became an annual feast at which oratorical fireworks were let off with a reckless prodigality, and like all fireworks made a momentary impression and left no traces behind. The whole thing was more or less a solemn farce, and not a little tiresome. The official members regarded the long orations as the vapourings of amateurs not to be considered very seriously, and listened with as much patience as a bureaucracy supremely conscious of its own wisdom can command. It was very rarely that a Pherozezeshah or a Gokhale appeared on the scene, and made officialdom wince under the lash of their able and incisive criticisms. Their Budget speeches were something different from mere rhetorical exercises, and though the replies of official members were accustomed to strike a note of lofty superiority, it is not too

much to say the Treasury benches were never very happy during the ordeal.

On the present occasion, Pherozeshah directed his chief attack against the alarming growth of expenditure in India. He supported it by quoting the views of past Finance Members, Sir Auckland Colvin, Sir David Barbour and others. They had practically admitted that the constitution of the Government of India was such that there was no efficient control over expenditure, and that every member of the Council, except the Finance Minister, was not only not responsible for financial equilibrium, but was directly interested in spending money. The enormous growth of expenditure had also been pointed out in an able representation submitted in March, 1894, by the Bombay Presidency Association, of which Pherozeshah was then President. In dealing with that representation, the latter observed, the Finance Member had grown very facetious over the pretensions of native amateurs to show the most distinguished Service in the world how they ought to govern India, and his mirth had been specially aroused at their pretensions to teach him how to manage Indian finance. But he would not be able to say of the views of his predecessors in office that they were the views of clumsy and pretentious politicians, though they had confirmed in the most remarkable manner the contentions advanced by

the Association. And the fact that stood out prominently from this testimony, expert or otherwise, was that military expenditure was growing at an alarming rate, absorbing fully one half of the whole net revenue of the country. If it was not possible to reduce it by any curtailment in the strength of the army, or any halt in the forward policy, then there was no other remedy for the embarrassment of Indian finance than to urge England and the English Treasury to be just and equitable in their demands for the cost and equipment of the British troops they supplied, which was what the Government of India themselves had urged in a despatch, dated the 8th February, 1879. In sharp and striking contrast to this alarming growth of expenditure, Pherozeshah went on, the amount spent on Education was just 2 per cent. of the net revenue, which was about equal to the sum swallowed up by the Exchange Compensation Allowance. Sir James might wax sarcastic over 'the united wisdom of the native gentlemen interested in politics, who met at Christmas at Lahore to show us how we ought to govern India.' But the facts and figures which the speaker had adduced spoke for themselves, and they justified his argument that the Financial Statement could not be regarded as satisfactory, and that the Budget was not based on enduring principles of sound finance.

Absurd though it sounded, he contended that it was possible to reduce revenue and increase expenditure at the same time :—

“ If you could reduce your military expenditure to reasonable proportions, if you could steady your forward policy so as not to lead to incessant costly expeditions, if you could get your inflated Army Home Estimates moderated, if you could devise ways by which the huge burdens of salaries and pensions could be lightened, then it is not chimerical to imagine that you could improve your judicial machinery, strengthen your police, develop a sounder system of education, cover the country with useful public works and railways, undertake larger sanitary measures, cheapen the post and telegraph, and still be in a position to relieve small incomes, to press less heavily on the land, to give the cultivators breathing time and to reduce the salt-tax.”

The speech was received with ill-disguised disfavour. It was subjected to a sharp volley of ridicule, sarcasm, raillery and other manifestations of superior wisdom. The Lieutenant-Governor of Bengal was particularly wroth. The feeling left on his mind, he said, was one of absolute despair as to what help they could expect to get from a gentleman in the position of the Honour-

able Member. He had come to them with a great reputation as one of the ablest men in Bombay and one of the most leading men in the forward movements of the time. Almost in the first speech that he made in the Council, he had launched an insinuation against the probity of its official members which had caused a shock to the whole Council, which was accustomed to think and had reason to know that the company which sat round that Board was a company of honourable gentlemen. His Honour felt constrained to ask, what possible good could arise from criticisms of such a character? One might well retort by asking, what possible good could arise from *any* criticisms levelled against a body of men, intoxicated with notions of their own absolute infallibility?

It was in the fitness of things that the splendid work done in the Council by Pherozeshah should receive recognition at the hands of his countrymen. The public appreciated as it had never done before what manner of man he was. He was no demagogue delighting the crowd by violence of language or ideas, nor a rhetorician losing himself in mere words, nor too, a professional politician seeking his own advancement. He had the keen eye of a great general who makes the most effective disposition of the forces under his command, and is quick to seize every tactical advantage. He was formidable in attack, and very clever at effecting

a retreat from a position which was found to be untenable. Those who crossed swords with him had thus a very wholesome respect for him. These outstanding traits, in which he stood unrivalled, had found their full scope on the floor of the Legislative Council, and his achievements there evoked an admiration and enthusiasm which were regarded as remarkable in those days. Even that great organ of reactionary opinion, the *Pioneer*, could not withhold a tribute, and in an appreciation of his life and career—enlivened by personal touches about his handsome appearance, his splendid residence and the variety and costliness of his furniture—spoke of him as one of the ablest and most eminent leaders of Western India, and next to Dadabhai Naoroji, the most intellectual man among his set.

The first of the many functions held in Pheroze-shah's honour took the shape of an evening party given by his old friend Mr. W. C. Bonnerji at his house in Park Street. They were together for years in London, eagerly learning the best that English life and institutions had to teach, and while achieving conspicuous success in their profession, had placed themselves in the forefront of public movements in their respective Presidencies. Their friendship had been cemented by a close political comradeship. It was in the fitness of things, therefore, that the first public

recognition of Pherozechah's work in Calcutta should come from an old and valued friend.

A few days afterwards, a dinner was held in the Town Hall, at which Mr. Mun Mohun Ghosh, another fellow-student at Lincoln' Inn, presided. He occupied at the time a prominent position at the Bar and in the public life of Bengal ; his death a few years later was a great loss to the province. In proposing Pherozechah's health, the chairman dwelt upon the significance of the movement, which had brought together so many men of different communities. They had overcome all caste prejudices and differences of custom, and had met to do honour to one who had proved himself a doughty champion of the popular cause. Mr. Ghosh went on to speak of the fearless independence and devotion to duty—hitherto almost unknown in the Councils of India—which had characterized the career of the guest of the evening, and referred to the heavy sacrifice which a lawyer of his distinction had to make through prolonged absence from Bombay. The reply of Pherozechah was brief and felicitous, and characterized by the modesty which comes so natural to great minds.

A much bigger function was held in the same place shortly afterwards, when the citizens of Calcutta gave a public entertainment to mark their appreciation of the services of their distinguished

countryman from Bombay. The Town Hall was tastefully decorated, and on the four pillars on the sides of the *dais* were emblazoned in bold glaring letters the watch-words of his public career—Unity, Progress, Duty, Reform. On arrival, the guest was received by the Committee, headed by Mr. Bonnerji, and conducted through the midst of a brilliant assembly to the *dais*, where an address was presented to him, signed by over 3,500 citizens of Calcutta and the adjoining districts. It referred to the success with which he had guided the deliberations of the National Congress in that very city some five years before, and which had led them to expect great things from him on his election to the Council. Those expectations had been amply realized. Pherozeshah had introduced a truly new spirit into the deliberations of the Council, and had won the lasting esteem and admiration of the country. In an eloquent reply, Pherozeshah said it was idle for him to deny how gratified he was at the demonstration of approval of the manner in which he had discharged his duties. A new spirit had indeed been introduced into the Council, but he disclaimed the idea that it had emanated from him. It was due to the reform of the Council, and he hoped that the change would be recognized by the rulers wisely and sympathizingly in the cause of progress. He thanked those present



heartily for the address they had presented him, and which he would regard as a valuable memento of their kindliness of feeling.

This series of entertainments constituted an altogether remarkable demonstration, which was not without a political significance. Seldom had Calcutta witnessed such representative gatherings as had assembled in honour of the distinguished citizen of Bombay. In honouring him, Bengal had honoured herself, and showed that the national spirit was truly at work, bringing about a community of thought and feeling, and breaking down the barriers of race and religion. Later, when Pherozeshah was in the midst of his own choice circle of friends at the Ripon Club banquet, he acknowledged with much warmth the hospitality which the people of Calcutta had shown him, which had made him feel more keenly than ever that he was an Indian of Indians.

On the 1st of April, Pherozeshah returned to Bombay, loaded with honours, and was welcomed at the Byculla station by a large number of friends and admirers. Bombay had decided to give him a right hearty reception, and had arranged various entertainments in his honour. Public enthusiasm was intense, and there was a general desire to commemorate his services in a tangible form. Some suggested the erection of a marble statute; others even more enthusiastic

wanted a more ambitious and useful memorial. All classes of people vied with each other to do honour to one who had come to be regarded as "the uncrowned King of Bombay." Social popularity combined with political ascendancy had placed him on a lofty pedestal, and he had a personal following such as has rarely been commanded by a leader of the people.

Shortly after his arrival, Pherozeshah was re-elected to the Provincial Council by the Corporation. In view of the fact that his duties as a member of the Supreme Council sometimes took him away from Bombay, there was some talk of bringing forward a new candidate. But there being a strong feeling that he was indispensable, he consented to be proposed for re-election, and was unanimously returned as the representative of the Corporation. It was in the natural course of things, for, as a writer observed, his influence in civic affairs was so predominant that the records of the Corporation in recent years might be searched almost, if not quite in vain, for an instance in which any proposition or amendment he had brought forward had not been carried. On one occasion, when the question of the Police charges was under consideration, the Corporation had actually postponed a decision, as Pherozeshah happened to be away.

The Ripon Club was appropriately enough the

first in Bombay to offer its homage. The head of the Parsi community, the third Sir Jamsetjee Jejeebhoy, presided over a large and distinguished company, and paid a handsome tribute to "the force of character, the steady aim, the zeal, industry and fearless eloquence" with which the Bombay Member of the Supreme Legislative Council had always carried on the fight for liberty and progress. Pherozeshah in his reply begged them to put a stop to his being demoralized by all those kindly demonstrations, which he himself regarded as an appreciation of the inauguration of the new era. After detailing some of his experiences in the Council, of the temper and mental attitude of the bureaucracy, he urged his hearers to recognize that the time had come when men of all races should put their shoulders to the wheel and endeavour to regenerate their country, which could boast in ages gone by of great and glorious traditions.

The next scene of triumph was laid in the Novelty Theatre, a hideous structure of corrugated iron sheets, which did duty in the old days as the premier play-house of Bombay. There on the 20th April, a large and enthusiastic gathering convened under the auspices of the Bombay Presidency Association, testified to the influence and popularity of one who was by common consent the greatest citizen of Bombay. The moving spirit in the

demonstration was his loyal and devoted friend and colleague, D. E. Wacha, though with characteristic modesty he kept himself in the background. The chair was taken by that eminent industrialist and philanthropist, the late Sir Dinshaw Petit, who, in his own quiet way, was a staunch adherent of the national cause. Supporting him on the stage were men of light and leading of every community and of every shade of opinion. The main resolution placed on record the public sense of "the important, valued and varied services" which Pherozeshah had rendered to India generally, and to the City in particular. It was moved by Mr. Rahimtulla Sayani, a past president of the Congress, and one of the leaders of thought among Mohamedans, in a speech full of generous enthusiasm. A formidable array of speakers supported him, including Messrs. Javerilal Yajnik, Daji Abaji Khare, Narayan Chandavarkar, W. A. Chambers, Ibrahim Rahimtulla, and Doctors Bhalchandra and Bahadurji, all more or less closely associated with Pherozeshah in the task of national regeneration. Their tributes to their leader were embarrassing in their fulness, and the unsparing use of superlatives made on the occasion would have brought a blush to the cheek of the vainest individual. An exasperated writer, signing himself "Englishman," was led to remark in a letter to the papers :—

"We have seen equally fine words used

in commemorating the achievements of men whose names have lived in history. But we have never seen quite so many used all at once. We have only given our readers a few specimens of the panegyrics pronounced by Mr. Chandavarkar, Mr. Sayani, Dr. Bhalchandra, Mr. Dinsha Wacha and others. If the late member of the Viceroy's Council had been Demosthenes, Socrates and Julius Cæsar rolled into one, his admirers could scarcely have said more about him."

The address which was adopted reflected the tone of the speeches. It did adequate justice to Pherozeshah's innumerable services to the country, particularly his brilliant record of work in the Supreme Legislative Council. It spoke of his powerful indictment of the Police and other Bills, his lucid expositions of constitutional questions, and his masterly utterances on the Budget, which would have done credit to any skilled debater in the House of Commons or any other enlightened assembly in a self-governing country. He had set a shining example to his fellow-men, and shed lustre on the whole country. Well might the recipient of these tributes have felt that his services and sacrifices had not been in vain, that they had in fact earned a rich reward in the gratitude and affection of his countrymen in all

parts of the land. *The Bombay Gazette*, in the course of its observations on the demonstrations held in honour of the hero of the hour, after remarking that it indicated one of the innumerable points of difference between English and Indian feeling that it should in this country be held appropriate to present such testimonials of esteem in the middle instead of at the close of a public life, went on to say, with reference to the term "self-sacrifice" so constantly used in relation to Pherozeshah :—

"Now, without for a moment affirming that, should occasion arise, Mr. Mehta would be found deficient in this virtue, we may remark that under the happy dispensations of Providence there is not usually any sharp conflict between the personal interests of a public man and the concerns of a state which he has at heart. Ordinarily his own advancement may proceed harmoniously with that of the great causes which he advocates. Of course, it is not always so. We may cite for instance the case of Lord Selborne or of Sir Henry James, in which the conflict did arise, and in which the immense sacrifices of personal interests had to be made. But happily, no such event has occurred in the case of Mr. Mehta. We know of no public

act of his which has been prejudicial to his own personal advancement. This implies no reproach. The same thing might be said with a few exceptions of almost any prominent English statesman of the day."

There is a great deal of abstract truth in this criticism, and one can think of numbers of cases in which public interests and personal advancement have gone hand in hand without difficulty. But Pherozeshah's career in this as in so many other respects was altogether out of the ordinary. Once he had emerged as a successful lawyer, he permitted his public work to encroach upon his lucrative practice to an extent which few professional men would think of allowing. He was known to turn away from many a fat fee merely in order to attend some meeting of the Corporation, and it would be difficult to compute the amount of his pecuniary sacrifices during his long and busy career, leaving out of account the drain on his time and energies. A man of extravagant tastes and partial to the good things of life, he might easily have passed his days in splendid opulence, content with the leisurely pursuit of a profession in which he was able to put his own price on his services. It is noteworthy in this connection that many of his contemporaries disappeared one by one from the arena of active politics. The three most gifted among them, Ranade, Telang,

and Tyabji, got lost on the Bench. With rare constancy, Pherozeshah stuck to his position as a leader of the people, and preserved to the last his freedom to voice their national aspirations. His admirers might, therefore, well be excused for the somewhat frequent use of a term of laudation which might be regarded as fairly representing the most prominent characteristic of his labours in the public cause, particularly when one remembered, for instance, that Madras had long to remain unrepresented on the Supreme Council, because its first representative, Mr. Bhashyam Aiyangar, one of the most distinguished lawyers in the country, felt himself unequal to the sacrifice of his professional income.

The Eighth Provincial Conference held at Belgaum on 4th May, 1895, was the next to place on record its appreciation. Pherozeshah attended the Conference in company with the President-elect, Mr. Wacha, Dr. Bahadurji and others, and was given a very hearty reception at the station as his special saloon steamed in. For weeks Belgaum had been preparing to give a rousing welcome to the man on whom the eyes of all India were centred for the time being. All interest in the proceedings gathered round his personality, and it was a great disappointment to the people when it was known later that indisposition would deprive them of the opportunity of hearing him.



The resolution recording Pherozeshah's "masterly services" was moved by Mr. Gokhale, then unknown to fame, but recognized by those who knew him as a young man of brilliant promise. He quoted a comparison made by a shrewd observer of men and things of the three greatest personalities in the public life of Western India. That critic had said that Mr. Telang was always lucid and cultured, Mr. Mehta vigorous and brilliant, and Mr. Ranade profound and original. Mr. Gokhale, said he, agreed with the verdict, but did not think it contained the whole truth. Though some people thought that Mr. Mehta's particular gifts were vigour of intellect and brilliancy, it did not follow he was in any way deficient in the other qualities. To Mr. Gokhale's mind, it always appeared that Mr. Mehta was to a great extent a happy combination of the independence and strength of character of Mr. Mandlik, the lucidity and culture of Mr. Telang, and the originality and wide grasp of Mr. Ranade. Praise coming from such a man was praise indeed !

The address adopted at the Conference, and which bore the honoured signature of its President, Mr. Wacha, gratefully acknowledged that Pherozeshah's presence had added prestige and honour to the Conference, his counsels had guided and strengthened their deliberations, and his example had inspired them with faith and con-

fidence in the success of their cause. Reference was made to his first memorable appearance before the public, when with rare courage, he had stood up as the solitary defender of a discredited régime. From that time forward he had always been at his post, whenever any work calling for bold and fearless action was on hand. He had borne a leading and honourable part in the political awakening which had come about since the glorious days of the Ripon régime, and which had found its permanent expression in the Indian National Congress. Ever since the dawn of that period, he had been a conspicuous and effective worker in the regeneration of his country, and had achieved for himself a position of unquestioned eminence as a leader of Indian political thought. His command of political principles, his familiar acquaintance with law and constitutional history, added to his eloquence and ready wit, had roused the fears of the officials as they surely must have won their respect, and had made him a most formidable opponent. The address concluded with a hope that the country would long enjoy the inestimable privilege of his leadership.

It was not until the end of 1895 that the various addresses voted to Pherozeshah were presented to him at a public meeting held in the Gaiety Theatre on the 20th December. It was a remark-

able demonstration. Long before the appointed hour, large numbers of people flocked to the Theatre; the late arrivals could not even find space to stand. Every inch of ground was occupied, and the platform was filled to suffocation. A large crowd collected outside, and gave a rousing welcome to Pherozeshah, who, on entering the hall, was given another ovation. The Honourable Mr. Sayani, who was in the chair, called upon Mr. Chandavarkar to read the address of the citizens of Bombay. The address voted at the Eighth Provincial Conference was next read by its chairman, Mr. Wacha. Among the telegrams expressing cordial agreement with the object of the gathering was one from the president of a meeting held for the purpose at Satara. With a neat little speech, Mr. Sayani presented the two addresses enclosed in beautiful silver caskets. As Pherozeshah rose to reply and looked upon the vast and enthusiastic gathering, representative of every community and every section, he might well have felt it was a moment to be proud of. Year after year he had risen steadily in the public estimation, and now, while still in the prime of life, he stood before his countrymen with a career and reputation second to that of none in the whole land, and heard himself acclaimed as a king among men. He rose to the full height of the occasion, and delivered a speech

which may be ranked among his greatest efforts. It was mostly confined to a slashing reply to the calumnies and misrepresentations of the Indian point of view with which the enemies of Indian aspirations sought to scotch all attempts at progress and reform. It was at once a striking vindication of the claims of the educated classes to voice the national aspirations, and a severe condemnation of the superior critics who were never tired of deriding the aims and methods of the Congress and its leaders. In particular, Mr., afterwards Sir, Muncherji Bhownuggree came in for a castigation, which made his supporters in England and Anglo-India positively furious. The pretensions of the Member for Bethnal Green to speak for his countrymen were mercilessly exposed.

Pherozechah prefaced his long utterance by modestly declaring that he regarded the addresses not so much as eulogizing his own individual motives and principles of political action, as setting forth the motives which actuated the conduct of educated men throughout the country, the principles which guided and regulated their action, the credentials which they possessed of their qualifications, and the constituents whom they, if not scientifically and systematically, at any rate really and substantially represented. There had recently been a remarkable recrudescence of calumny,

misrepresentation and resentment against all who ventured to take an interest in their country's affairs, and who were reviled as croakers of evil, shouters of sedition and revolution-mongers. Amongst those who flung these accusations broadcast was "one of our own countrymen, who, though never a prophet in his own country, is, by some occult process of metamorphosis, made to look like and pose in England as if he were really a great man in Israel, a man who hob-nobbed with our rajas and maharajas, was hand in glove with our merchant princes, was foremost amongst the kings of industrial development, was a philanthropic employer of labour, and who was at the same time the sympathetic friend and patron of the zemindar and the ryot." This phenomenon, the speaker added, was not very surprising when one remembered that in the old days, people utterly unknown and of no position were received and were able to pass themselves off in social circles for princes and rajas and nawabs on the strength of a little tinsel, a gold-embroidered cap, a satin coat, or a little jewellery such as even loafers in Indian bazars affected! Such a thing was no longer possible in society, but it seemed there was still room for it in political circles. This sally at the Member for Bethnal Green provoked much amusement, and the audience roared with delight when Pherozeshah followed it up by

narrating an incident in the course of a journey they had together some years before. It was a characteristic way of dealing with an opponent who was powerful with a certain section of English opinion, and whose political activities were causing at this period considerable uneasiness among his countrymen :—

“ A certain class of Anglo-Indians have decorated Mr. Bhownuggree with a little gold lace, and he is set up as a great political oracle of ‘ credit and renown ’ (loud laughter), and he has been made oracularly to denounce the educated classes as sowing discontent and sedition by their perpetual selfish and unscrupulous attacks against the English in India. (Renewed laughter.) Gentlemen, I for one recognize the singular competence of Mr. Bhownuggree to formulate such an indictment, for I have a very vivid recollection of an incident that took place some years ago. I was returning from Kathiawar, where I had gone on some professional work, and a friend joined me at Wadhwan in the compartment in which I was travelling. He got out for dinner at the refreshment room at Ahmedabad station ; on returning to our compartment, we found an English gentleman installed in it with a huge and fierce-looking

dog by his side. (Laughter.) Both my friend and myself had very strong objections to travel in such company for a whole night, and finding on enquiry that the gentleman meant to keep the dog with him, we tried to persuade him to relegate his companion to the dog-box in accordance with railway regulations. On his refusal I spoke to the station-master, which so irritated the dog's owner that very soon my friend and he came to high words and some not very choice language, and I had just time to rush between them to prevent them from proceeding to blows. (Laughter and cheers.) As I took my friend aside and tried to pacify him, the English gentleman complained to people gathered about how utterly unreasonable and provoking our conduct was in objecting to the company of his dog. 'I never object to travelling even with natives in the same compartment,' he said with the most aggrieved air in the world. You can scarcely conceive, gentlemen, the paroxysm of fury into which my excited friend was thrown at this comparative description of the status of dogs and natives, none the less stinging because made with the most perfect unconsciousness of its insolence.

I thought it advisable to take him and myself to another compartment where I tried to moderate his somewhat violent tirades against the intolerable rudeness of Europeans towards natives of all classes from princes downwards, by telling him not to generalize overmuch or take individual cases too seriously. But he was not to be consoled; he scouted all attempts to explain away the insolence of the treatment of natives by Europeans as anything akin to the estrangement caused by the exclusive character of native social and religious ways. He called to mind many of the stories on this point related in that excellent article in the October number of the *Contemporary Review* from the pen of the Rev. Mr. Bonner, whose accurate statement of facts those who are acquainted with things below the surface can fully verify. My friend added many others with which natives are familiar, including that relating to the English Gymkhana in Bombay. I capped it with the doings regarding the Frere Hall in Mahableshtar, built largely by native donations, but which has been substantially handed over to a European club which debars, by one of its rules, any native visitor being allowed even on the



verandah of the club premises. (Cries of 'shame.') Though feeling very sleepy, I was regaled by my friend for half the night with croaking fears as to the permanence of British rule owing to this galling behaviour towards natives, of the same character as are now denounced in the mouth of educated natives. This friend of mine, the hero of this story, was, gentlemen, no other than Mr. Bhownuggree (loud laughter and cheers), who has now recanted the errors of his old ways and is posing as a reformed character before Anglo-Indian audiences to denounce the folly and danger of allowing the educated classes to make perpetual attacks on and criticize Europeans in India, who, if they have faults, have them only as the sun has spots." (Laughter.)

Having demolished Mr. Bhownuggree to the lively satisfaction of his audience, Pherozechah entered upon a lengthy examination of the motives and principles animating the educated classes, and their claims to represent the vast body of their countrymen. He paid a glowing tribute to the spirit and influence of those young men on whom the rays of Western civilization had first fallen, and who had laboured with enthusiastic devotion to spread its influences far and wide, and to rouse their countrymen from the torpor into which

they had fallen. Those who urged that it was absurd to seek to adopt the radical notions and methods of the Western world forgot that the living force of a new and totally different civilization had already imposed itself in all the vigour of its unceasing activity on the conservatism of the country. It was, therefore, idle to say, Pherozeshah continued, that political agitation was unsuited to the conditions of India. On the contrary, the necessary conditions and limitations that must beset a foreign rule of so complex and unprecedented a character, inevitably involved perils and pitfalls, in avoiding and providing against which the watchful criticism and close co-operation of the educated classes could not but be most useful and helpful. Besides, it was in the very essence of a bureaucratic régime to demoralize, unless its healthy condition was constantly promoted by watchful scrutiny and vigorous criticism. The English official lived in a state of proud and sometimes contemptuous isolation, which prevented him from ever acquiring a real hold upon the facts of native life. It placed him in the hands of subordinates, and deprived his views, opinions and conclusions of the authority due to information at first hand. On the other hand, an Indian whether educated or not, must in the nature of things intuitively understand Indian thought and feeling, where

the most cultured European must lamentably fail. It had been said that the microscopic minority of the educated classes apart from being denationalized, was congregated only in large towns and was utterly ignorant of the feelings and thoughts of the great bulk of the people. Speaking for himself, though he did not claim he was a very favourable specimen, Pherozeshah declared he was willing to submit to an examination on that point :—

“During a practice of a quarter of a century, I have gone on professional business times without number. I have traversed in this way Gujarat and Kathiawar, Rajputana and Central India, the districts to the east, and a great portion of the Deccan and Southern Mahratta country. I have thus visited not only the large and small towns, but thanks to the combination of revenue and judicial functions (loud laughter), I have followed the camps of district officers from village to village in the remotest parts of the Presidency. I have had to appear before all classes of officers from the Mahalkari and Mamlatdar to the District Magistrate and the District Judge. I have practised in the courts of Native States, and have pleaded before Native Chiefs and their judicial officers of every

degree of competence. In the course of these peregrinations I have come in free, close and spontaneous communion with all classes of clients, with the thakore and the talukdar, the tradesman and the artisan, the zemindar and the ryot, not to forget the most famous outlaw of Kathiawar of present days."

Thus it was, he continued, he and his friends could claim a more intuitive, intimate and superior knowledge of the living forces of Indian life and sentiment than the ablest and most experienced of English officials, including even those who had deservedly won a high reputation for industry and capacity in compiling statistical catalogues and encyclopædias of every variety of information. When, therefore, critics like Lord George Hamilton said that the educated classes represented nobody but themselves, they showed an utter want of understanding of the realities of the situation. It was true, they did not represent any class or body of people on the basis of any scientific principle, but their communion and intercourse, and common nature with the mass of the people qualified them to understand the latter, and to interpret their wants, wishes and sentiments, their hopes and their grievances in a more real fashion than their foreign rulers could ever hope to do. In a hundred different ways, educated Indians were

qualified by their position and circumstances to speak for and serve their countrymen of all grades and classes. It was a high and noble mission imposed by duty and sanctified by patriotism. The speaker hoped that they might be enabled to rise higher and higher to it, to guide it with unswerving loyalty, to temper it with discretion and moderation, to prosecute it with constancy and integrity, and cement it with harmony and union. Individual persons could participate in it in only a small and humble way, but the presence that evening of his friends showed that if they honestly and fearlessly endeavoured to perform what little it might be given to each of them to do, they might feel sure of the unstinted and generous support and appreciation of their countrymen of all classes, creeds and persuasions.

It was a great speech and swept the vast audience off its feet. Its conclusion was greeted with thunderous applause which continued for some minutes. It was regarded everywhere, except in the camp of rank reactionaries, as a very able, fearless and comprehensive vindication of the claims and position of the educated community. Mr. Bhowmuggree's supporters were, of course, very angry, and Pherozechah was sharply reminded by one of them that the success of a political opponent was no justification for dragging into a public utterance the details of a private conversation between

the opponent and himself, and that it was a well-recognized rule that the sanctities of private intercourse were not to be invaded to serve party ends. On the other hand, the enthusiasm of Pheroze-shah's admirers knew no bounds, and for days together the Press was full of cordial appreciations of the speech and the man. From amongst a mass of remarkable tributes, Sir William Wedderburn's review of Pherozechah's career in the columns of *India* arrests particular attention. So also does an observation of *The Indian Spectator*, which wrote approvingly of a suggestion which was on everybody's lips :—

“ Bombay, we see, has at last fired off her double-barrelled gun at Mr. Mehta's devoted head. And great has been the noise thereof. But is Bombay going to sleep after this explosion ? If there is anything in it, she ought to send Mr. Mehta to the House of Commons. That would be the best reward of his labours, and the most profitable investment that Bombay could make of its spare cash. We have always felt the need of a speaker and debater of Mr. Mehta's eminence at St. Stephen's, and should be rejoiced to see a practical turn given to the appreciation undoubtedly cherished for him by all classes of the community. A little timely organization would

lead to the attainment of this truly national object.”

It would be difficult to speculate about Pheroze-shah's political career had he entered Parliament, as so many of his friends and followers wished him to do. There was no room, of course, in that most critical assembly in the world for the mid-Victorian style of oratory which he sometimes affected, but his unrivalled powers of debate and readiness of speech and argument would certainly have arrested attention. Gifts such as his would have made their mark anywhere, and it was a thousand pities the Mother of Parliaments never knew the greatest political leader and tactician that modern India has produced.

## CHAPTER XVII.

### RESIGNATION FROM THE COUNCIL—GOVERNMENT AND THE UNIVERSITY—THE SOUTH AFRICAN QUESTION—THE BHOWNUGGREE BOOM.

1896.

THE strain of work in so many fields told on Pherozechah at this period, and he kept very indifferent health. The robustness of his constitution and the regularity of his habits had enabled him so far to withstand the wear and tear of an exceedingly active political career. His mode of life, careful at all times, had tended to become more and more strict as time went on. In early years, he was fond of club-life, and belonged to the small circle which constituted the somewhat exclusive Excelsior Club. He got tired of it after a time, and decided on starting an institution modelled on up-to-date lines, and with a constitution different from that of other institutions, in that it was not to be merely a coterie of friends, but was to be open to every person of respectability in society. The Ripon Club thus came to be founded in 1885, and at once attracted towards it



a large number of men of light and leading in the community.

There for some years Pherozechah spent his evenings, often dining with a few friends and spending a couple of hours in the boisterous game of *chaupat*, the favourite amusement of high and low in those days. After a time, he dropped out, and the Club saw less and less of him, until the "Friends in Council" dinners were instituted by Mr. C. M. Cursetjee, at which the members of other communities were often invited, and which came to be looked upon as more or less political gatherings. Pherozechah enjoyed these functions, to which his presence attracted very interesting company. Towards middle life, however, his habits became sedentary and monotonous and came to be governed by a sort of time-table. He seldom dined out or entertained, or was seen at public gatherings. At the same time, the attention he bestowed on his person and the care he devoted to his health became more and more exacting. To such habits of life must be attributed the good health and the mental vigour which he enjoyed so long. Few constitutions, however well preserved, can prove equal, however, to a heavy and continued strain in a tropical climate, and Pherozechah showed signs of a breakdown on his return from Calcutta.

One of the first things he did was to sever his connection with the Imperial Legislative Council

to which he had been re-elected only a couple of months previous. On the 26th January, 1896, he wired his resignation to the Viceroy. Finding himself unable to take any part in the deliberations of the Council, he felt there was no other course open to him but to make room for someone who could actively represent the Presidency, particularly as the Cotton Duties Bill, in which the commercial world of Bombay was keenly interested, and other measures of importance were coming up for discussion. Here, as in other things, he set an example of public conduct which might with advantage be more largely followed.

The resignation caused widespread regret. It was generally felt that the Imperial Council was much the poorer for the loss of a member, whose activities the year previous had evoked universal admiration. The Indian Press with one voice deplored the circumstance which had compelled his resignation at a moment when his presence was sorely needed. It was thought he would have given a bad half hour to Sir James Westland and the official 'bloc' over the Cotton Duties Bill, which so vitally affected the interests of India. Though the Viceroy and the Finance Member regarded Pherozeshah's absence somewhat coolly, and had not thought fit to consent to an extension of time for reporting on the Cotton Duties Bill, which had been urged by Mr. Ananda Charlu and Babu

Mohini Mohun Roy, in order to enable the member for Bombay to place his views before the Council, the Law Member, Sir Alexander Miller, with the instincts of a chivalrous Englishman, made a graceful reference when the resignation was announced some days later. In moving that Mr. Charlu be added to the vacancy on the Select Committee on the Legal Practitioners Bill, he observed :—

“The Select Committee originally included the name of the Honourable Mr. Mehta, who has since, I regret to say, ceased to be a member of this Council, and therefore I desire to fill up the place on the Committee which he has vacated. And I should like to take this opportunity of saying, speaking for myself alone, that I regret exceedingly the absence of the Honourable member, whose extreme fairness and great attention to all the business I have had to transact with him in the Select Committee have, in my opinion, made Mr. Mehta one of the most useful members that I have met at this table. I have indeed more than once been obliged to differ from him in opinion on public matters, but with that I have nothing to do at present, nor did such differences detract in the least from my sense of his legal acumen and judicial fairness on general questions.”

Though ill-health compelled Pherozeshah to curtail some of his activities, he controlled the currents of public life as well as before, and so far as Bombay was concerned, there was hardly a movement which did not depend upon his guidance or direction. While his dominating personality trod the stage, it was not possible for anything to be done without his direct inspiration. Men and movements seemed to suffer from a general paralysis. There were other leaders of undoubted ability and influence, but whenever any difficulty arose, they instinctively felt that his presence and counsel were necessary. The direct and active influence he exercised over public affairs was thus as great, even when directed from the hill-top of Matheran, as when he thundered in the Senate, the Corporation, or the Council.

## II.

The University claimed a considerable share of Pherozeshah's attention in spite of ill-health. He took up a fighting attitude on the question of examination reforms, and strongly criticized the Syndicate for declining to embody the recommendations made in that behalf by a committee, and for trying to defy the authority of the Senate. He lent his support to Mr. Ranade in the strenuous

endeavours made by that eminent scholar and educationist to afford some relief to the harassed student from the crushing burden of examinations. Though rarely coming in contact with the student world, he had a sympathetic understanding of its wants and difficulties ; his outlook was not that of a pedagogue or a drill-sergeant. Again, when Mr. Ranade made an unsuccessful effort in the Senate to have the three examinations necessary for Graduation reduced to two, Pheroze-shah made a powerful speech supporting the motion. He pointed out that the existing state of things had been introduced in 1879—"in a spirit of pedantic love for the teaching of science," to use the language of Mr. Telang—by Sir Richard Temple who had sent round a whip and secured the passing of the proposal. It had been generally acknowledged that graduates who had passed their examinations before that change was introduced were far superior to the later products of the University. According to Pherozechah, their superiority was undoubtedly due to the system of greater freedom and elasticity which prevailed in British Universities, and which turned out a better class of men than those whom the French and other continental systems produced, with their strict discipline and exacting studies. The Madras and Calcutta Universities, which had fewer intermediate examinations, had turned out graduates in no

way inferior to those of Bombay, and had given the country some very able thinkers and public writers.

The attitude of the Government towards the University provided another topic for discussion. It was in the time of Lord Dufferin that the first steps were taken towards the inauguration of a policy of veiled hostility to the cause of higher education, which was regarded as the root cause of the growing unrest in the country. Confidential and semi-confidential circulars were issued to local authorities to curtail the grants to universities and colleges, and gradually to withdraw the State subsidy altogether. This policy had resulted in the steady reduction of the grant to the Bombay University, which had come down from Rs. 20,000 to Rs. 5,000, and against which the Senate at the instance of Pherozeshah had entered an emphatic protest. The latter had carried the fight into the Council also, and held up the Government to scorn for the niggardly treatment meted out to the University. But these protests had proved unavailing, and the University had now been informed that it could safely be left independent of financial support from provincial revenues, and that no provision had accordingly been made for a grant in the Budget of 1896-97.

On the 27th July, 1896, the Senate, at the instance of Pherozeshah supported by Mr. Ranade,

decided to make a representation to Government, urging them to reconsider their decision to withdraw the annual grant. He contended that although the University had established a financial equilibrium, it was still not in a position to carry out certain essential reforms, and that in any case the contribution should not have been stopped without giving the University an opportunity to state its case. He said he knew that the Government had already made up their minds, but the education he had received had taught him that the success of an Englishman lay in the fact that he never knew when he was defeated, and he wished the Senate would not acknowledge defeat likewise. It was a more or less hopeless position, but he hoped the majority of the Fellows would regard the meeting not as one of condolence, but rather as one of doctors in consultation over a patient who was *in extremis*, but not quite dead as yet !

When the Legislative Council met at Poona on the 17th August, 1896, Pherozezshah attacked with much vigour the policy responsible for the cutting down of the Government dole. He pointed out that the University was deliberately and emphatically intended to be a State institution of a very important character. The fact that the Governor was always to be the Chancellor showed the view of the legislature as to the intimate relations which ought to exist between the University and the

Government. The University was not a self-governing body. The appointment of the Vice-Chancellor and the majority of the members of the Senate rested with the Chancellor. The real reason of the withdrawal, Pherozeshah continued, had not been disclosed. Different things had been said at different times. It was not surprising that an impression should consequently have been created that the Government were determined to carry out a policy of withdrawal from higher education. If that were the case, he would echo the sentiment of his late friend Mr. Telang that "it would not only be a mistaken policy in regard to education, but it would be mischievous and disastrous in its political unwisdom."

Mr. Kirkham in replying to Pherozeshah's criticisms observed that the Act of Incorporation lent not the slightest countenance to the idea that the University was to be a State institution. Sir Alexander Grant, whose name Pherozeshah had so often invoked, had expressly deprecated such a notion, and had expressed the grateful thanks of the University to Sir Bartle Frere for respecting its independence, and saving it from the loss of caste which would follow if it were to be considered a State institution. He emphatically denied that there was any disposition on the part of any responsible official in India to weaken higher education. What India wanted was still higher education, but



eminent authorities like Sir Alexander Grant and Sir Henry Maine believed that depth should be pursued rather than mere extension. As regards the grievance about the withdrawal of Government aid, it could not be gainsaid that the ultimate financial independence of the University was a thing aimed at and designed to be kept in view from the very earliest period, and that the time had now arrived to consummate the end so long kept in view, so steadily pursued, and towards which step after step had been taken.

In the light of subsequent events, it seems very strange that so astute a politician as Pherozeshah should have taken such pains to emphasize the position of the University as a State institution, and to protest against the withdrawal of Government from the control of higher education. Indian leaders had to sing to a very different tune only a few years later, when, alarmed at the torrents of unrest which swept the country, and which were believed to have had their source in the seats of learning founded by the instinctive liberalism and splendid imagination of mid-Victorian statesmen, Lord Curzon and his advisers made determined attempts to officialize the universities. As Pherozeshah himself observed in his speech on the Bombay Budget of 1898-99, when Government contributed to the funds of the University, they interfered as little as possible with its constitution,

but when the grant was withdrawn, they seemed disposed to meddle more with the University and its academic administration than they were ever in the habit of doing. For an explanation of Pherozeshah's point of view, it is necessary to remember that in the early stages of development, when private munificence could not be expected to endow the universities and colleges sufficiently enough to render them self-supporting, it was essential to see that under cover of fine phrases, Government were not allowed to quietly get out of their obligations in respect of higher education. The cause of learning had as much to fear from insidious attempts to starve it by leaving it to private enterprise, as by an open declaration of hostility. That is why Ranade, Telang, Pheroze-shah and others insisted that though the Universities were not departments of Government, they should be regarded as State institutions charged with carrying out the policy laid down in the charter creating them, and which were, therefore, to be provided with funds adequate to their needs and responsibilities.

### III.

It was in the Nineties that the subject of the treatment of Indian settlers in South Africa began

to engage the attention of their countrymen in India and the outside world. Beginning with a few occasional acts of hostility, the South African states, British and Boer, soon began to vie with each other in the severity of the disabilities they sought to impose upon the Indian immigrant population, whose nationality they despised, but whose labour they valued. It would be a painful and profitless task to detail the various indignities which were heaped from time to time upon a class of industrious and law-abiding people whose only sin was that they were frugal in their habits. The story of their wrongs forms one of the blackest pages in the history of British Imperialism.

The Indian community in South Africa, alarmed at the growing hostility manifested towards it on all sides, organized itself for defence under the leadership of one of the most extraordinary figures that have ever trod the public stage in this or any other country. Mr. M. K. Gandhi, for it was none other than he, deeply moved by the wrongs of his countrymen, threw away a lucrative practice at the Bar, and consecrated himself to the task of securing for them their just rights as citizens of the British empire. He was subjected to hardships and indignities which would have broken most men. But he was of the stuff of which heroes are made. On one occasion in the main street of Durban, he was kicked, whipped, stale fish and

other missiles were thrown at him which hurt his eye and cut his ear, and his hat was taken off his head. Through the help of the police he was escorted to the house of an Indian, and when a threatening crowd blockaded the house, he had to be taken away to the police station disguised as a constable.

Such indignities and risks of personal violence were nothing to a man who could face unflinchingly all the rigours and horrors of prison-life in an inhospitable country which was but partly civilized. He continued to fight with courage and determination. He memorialized the Colonial Office and the Indian Government from time to time, pointing out the iniquity of the legislative measures which their weakness and indifference had enabled the South African states to impose upon the helpless Indians. He carried on active propaganda work, and appealed to his countrymen in India for their sympathy and support. In August, 1895, we find him writing to Pherozeshah from Durban on behalf of the Indian community, appealing for the latter's help in connection with the Immigration Law Amendment Act passed by the Natal Parliament. The letter-press on the note-paper described Mr. Gandhi as "Agent for the Esoteric Christian Union and the London Vegetarian Society!"

Later, Mr. Gandhi came personally to plead the cause of his fellow-settlers in South Africa, and

toured the country educating Indian public opinion. Among other places, he delivered an address at Bombay on the 26th September, 1896. Pheroze-shah presided, and in introducing the lecturer praised the great skill, pluck, ability and perseverance shown by the slim young man from Kathiawar, then unknown to fame, but whose mysticism and asceticism were to exercise in later years such a tremendous influence over his countrymen of all races and creeds. A resolution was passed authorizing the chairman to address the Secretary of State for India, soliciting his attention to the hardships and disabilities under which Her Majesty's Indian subjects in South Africa were labouring, as set forth in the various memorials presented on their behalf, and imploring him to take suitable measures for their redress.

In pursuance of that resolution, Pherozezeshah submitted a lengthy representation to the Secretary of State, pointing out the harshness and injustice of the various measures which one state after another had adopted for the purpose of reducing to a position of helotry the settlers whose labour had contributed to the development of the country. The sheer iniquity of the whole thing needed no demonstration. A section at least of British public opinion was conscious of the responsibilities of the Imperial Government in the matter. *The Times* in a series of powerful articles championed the

cause of the unhappy settlers in a manner which did it credit. With great force it pointed out :—

“ Our Indian subjects have been fighting the battles of Great Britain over half the Old World with a loyalty and courage which have won the admiration of all British men. The fighting reserve which Great Britain has in the Indian races adds greatly to her political influence and prestige, and it would be a violation of the British sense of justice to use the blood and the valour of these races in war, and yet to deny them the protection of the British name in the enterprises of peace. The Indian labourers and traders are slowly spreading across the earth from Central Asia to the Australian Colonies, and from the Straits Settlements to the Canary Islands. Wherever the Indian goes, he is the same useful well-doing man, law-abiding under whatever form of government he may find himself, frugal in his wants and industrious in his habits. But these very virtues make him a formidable competitor in the labour markets to which he resorts.”

It is, perhaps, superfluous to observe that to the South African colonists, the tradesman's point of view appealed a great deal more than considerations of justice or humanity. They knew they were

masters in their own household, and they were quick to realize the helplessness of India and the weakness and indifference of the Colonial Office. Subject nationalities had no place in their scheme of things, except as 'hewers of wood and drawers of water,' even though they could claim a civilization far more ancient than their own, and bore the proud name of British citizens. In the words of Mr. Gokhale, the history of anti-Asiatic legislation in the colonies and self-governing dominions of the Empire unfolds "a tale which no Indian can read without bitterness, and no right-minded Englishman ought to read without a feeling of deep shame and humiliation."

The question naturally arises, is the Indian a British subject in anything but the name? Is he perpetually to be tickled with high-sounding phrases about his lofty destiny, and treated at the same time as an outcast in the empire to which he belongs? The question is one, which it is obvious, the colonies can no longer be allowed to answer for themselves. As Pherozeshah observed in his speech at the public meeting, it is pre-eminently an Imperial question:—

"The British subject theory would be a mockery if Her Majesty's Indian subjects cannot enjoy the ordinary rights of citizenship in Her Majesty's dominions outside India or in allied states. If the Indian can

be treated as he is being treated in South Africa, he ceases to be a British subject except in name."

#### IV.

Towards the end of 1896, the "Bhownuggree Boom" considerably exercised the public mind in Bombay and in Congress circles all over the country. The member for Bethnal Green was to visit the land of his birth in October, and desperate attempts were in progress to organize demonstrations in his honour, and thereby to invest him with a representative character. His Anglo-Indian and Indian friends and admirers were extremely anxious to impress a sceptical public with the greatness of their hero. Some of them frankly took their stand on expediency, and urged the manifold advantages of propitiating him and utilizing his influence in the House of Commons. Overtures were made by them for his reception by the Congress and by the leaders of public thought in Bombay and other places.

While these manoeuvres were in progress, Pherozeshah was at Matheran, where he had gone for the sake of his health, which was none of the best at the time. While there, communications poured in upon him from friends in Bombay, alive to the



political significance of the movement, appealing to him to come down, if even for a week-end, and scotch the whole affair. Pherozechah was too indisposed to take any very active interest in the little farce that was being enacted, and owing to his having a constitutional dislike for communicating his views by letter, all that could be extracted out of him was an occasional telegram indicating the line of action he thought advisable. When, therefore, an admirer of Mr. Bhownuggree wrote, "one has only to inform Mr. Mehta that Mr. Bhownuggree is to receive an ovation at the North Pole, and he will follow him thither to detract, if he could, from the value of the demonstration," he was obviously drawing on his imagination.

Ultimately, despite the booming and tom-toming of Anglo-Indian journals and the clique which was anxious to damn through the mouth of the Bethnal Green member the Congress and the classes whom it represented, the heavens did not fall, and Mr. Bhownuggree's "reception" in the places where he went left no delusion in the minds of any who were not blind partisans. Of course, between the obliging Reuter and the veracious chroniclers of the anti-Indian Press, a great deal of dust was kicked up, but it is not too much to say that Mr. Bhownuggree must have left these shores a sadder if not a wiser man. The Indian public, thanks mainly to the energy and foresight of the

Bombay leaders, showed unmistakably that it did not support the pretensions of his admirers about his representative character, and did not propose to take him at their valuation. On his return to England, Mr. Bhownuggree is reported to have told Mr. G. Subramania Iyer, a noted Madras publicist, that "the Honourable Mr. Mehta was jealous of him," and that the hostile reception he had while in India was due to that fact ! He added that he was working for the good of India according to his lights, and could not help getting into Parliament when he had the opportunity of doing so. The only comment one can make upon this is that Mr. Bhownuggree had to thank himself for the suspicions and hostility he aroused in the minds of his countrymen.















